



12 January 2018

Dr Stuart Day  
Federal Secretary / Treasurer  
Australian Salaried Medical Officers Federation  
asmof@asmof.org.au

CC: Branch Secretary, South Australia Branch, by email: sasmoa@sasmoa.com

Dear Dr Day,

### Notification of changes made to records [AR2017/75]

I acknowledge receipt of a Notification of Change to the office holders of the South Australia Branch of the Australian Salaried Medical Officers Federation.

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
15/12/2017	South Australia	Outgoing office holder	No

### 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, the details of which 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 must 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,

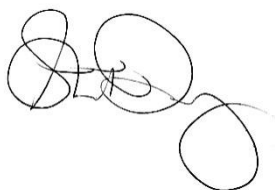
**Declan Clifford**  
**Registered Organisations Commission**

**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, Dr Stuart DAY, being the Federal Secretary of the Australian Salaried Medical Officers' Federation, 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:



Dr Stuart DAY  
Federal Secretary

Dated: 15 December 2017

*[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.*

<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> (for privacy reasons, we recommend NOT a private address)	<b>Occupation of <u>New</u> Office Holder</b>
<b>South Australia</b>	9.11.17	Branch Vice-President	Christopher Verco	Resignation	vacant	c/- 1 <sup>st</sup> Floor, 161 Ward Street, North Adelaide SA 5006	Medical practitioner



12 January 2018

Dr Stuart Day  
Federal Secretary / Treasurer  
Australian Salaried Medical Officers Federation  
asmof@asmof.org.au

CC: Branch Secretary, Queensland Branch, by email: asmofq@amaq.com.au

Branch Secretary, Tasmania Branch, by email: ama@amatas.com.au

Branch Secretary, South Australia Branch, by email: sasmoa@sasmoa.com

Branch Secretary, New South Wales Branch, by email: asmof@asmof.org.au

Dear Dr Day,

### Notification of changes made to records [AR2017/75]

I acknowledge receipt of a Notification of Change to the office holders of the Queensland, Tasmania, South Australia and New South Wales Branch of the Australian Salaried Medical Officers Federation.

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
11/12/2017	Queensland	Outgoing and incoming office holders	Yes
11/12/2017	Tasmania	Outgoing and incoming office holders	Yes
11/12/2017	South Australia	Outgoing and incoming office holders	Yes
11/12/2017	New South Wales	Outgoing office holders	Yes

### 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, the details of which 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 must 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,

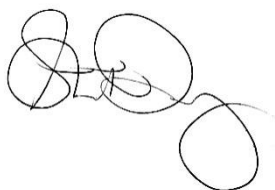
**Declan Clifford**  
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required to be kept in accordance with section 230 *Fair Work (Registered Organisations)  
Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, Dr Stuart DAY, being the Federal Secretary of the Australian Salaried Medical Officers' Federation, 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:



Dr Stuart DAY  
Federal Secretary

Dated: 11 December 2017

*[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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<b>Queensland</b>	28.11.17	Federal Council Delegate	Andrew Maurice	Resignation	Hau Tan	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner
	28.11.17	Federal Council Delegate	Felicity Jensen	Resignation	Chris Maguire	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner
<b>Tasmania</b>	21.11.17	Branch Councillor	vacant	Scheduled election	Joshua Power	c/- 147 Davey Street, Hobart TAS 7000	Medical practitioner
	21.11.17	Branch Councillor	vacant	Scheduled election	Malcolm Turner	c/- 147 Davey Street, Hobart TAS 7000	Medical practitioner
	6.12.17	Branch Councillor	Michael Lumsden-Steel	Election to Branch Secretary	Shehzad Kunwar	c/- 147 Davey Street, Hobart TAS 7000	Medical practitioner
<b>South</b>	9.11.17	Federal Council	Christopher	Resignation	Corinne	c/- 1 <sup>st</sup> Floor, 161	Medical



<b>Australia</b>		Delegate	Verco		Maiolo	Ward Street, North Adelaide SA 5006	practitioner
<b>New South Wales</b>	8.12.17	Branch Councillor	Katherine Kearney	Resignation	Vacant	c/- Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007	Medical practitioner

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**From:** ROC - Registered Org Commission  
**Sent:** Thursday, 12 October 2017 3:40 PM  
**Subject:** Education and advice campaign - notification of changes to records within prescribed timeframe [SEC=UNCLASSIFIED]  
**Attachments:** Letter to orgs\_Notifications of Change.pdf; Fact Sheet\_Notification of changes.pdf; Guidance Note\_notifications of change.pdf; Legislative Summary\_Notifications of Change.pdf

Good afternoon,

Please find attached correspondence for the Secretary or other prescribed office holder, providing education and advice regarding the obligation to notify the Registered Organisations Commission (the ROC) of changes to the records of a registered organisation.

Kind regards,

**Office of the Registered Organisations Commission**

Tel: 1300 341 665  
[regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

GPO Box 2983, MELBOURNE VIC 3001 | 414 Latrobe Street, Melbourne Victoria 3000



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

**Did you know?** We have a free email subscription service to send out important updates and newsletters. [Subscribe here](#)



12 October 2017

Dear Secretary (or prescribed office holder),

**Education and advice campaign - the obligation to notify the ROC of changes to records within the prescribed statutory time frame**

I write on behalf of the Registered Organisations Commissioner to advise you about an education and advice campaign being conducted by the Registered Organisations Commission (ROC) which is designed to encourage all registered organisations and their office holders to comply with the statutory obligation to lodge timely notifications of changes to records, contained in section 233(2) of the *Fair work (Registered Organisations) Act 2009* (the RO Act).

The ROC has become increasingly concerned about systemic contraventions of s.233(2) in which the lodgement of notifications are repeatedly weeks, months or even years late, or have not been lodged at all. Contraventions of this provision can give rise to risks for registered organisations and their members as a result of reduced transparency and accountability, and can expose the organisation to potential civil penalty proceedings.

As an independent regulator, the ROC's approach seeks to be fair, proportionate, objective and evidence-based. The ROC considers that compliance with statutory obligations is essential to ensure that registered organisations function efficiently, effectively and transparently.

**The importance of timely notifications**

The statutory obligation on registered organisations to notify the ROC of particular changes to records under s.233(2) of the RO Act has been part of the regulatory scheme in various forms for over 100 years and is currently a civil penalty provision, which means that registered organisations or their prescribed office holders may be potentially liable for any breaches.

The obligation is essential for a number of reasons including that:

- It assists members to participate in the democratic functioning and control of their organisations;
- Enables the regulator to publish information about who current office holders are; and
- It promotes accountability of office holders who are managing the funds and assets of registered organisations.

Registered organisations represent the interests of approximately 2 million members nationally. It is essential that timely information about the identity of relevant office holders is lodged in compliance with the RO Act so that the regulator and each organisation's members can be aware of which office holders are exercising management and financial responsibilities in their organisations.

The ROC and its predecessors have published the lists of office holders of registered organisations on the relevant agency's public website since at least 2003. The ROC also publishes all notifications about changes to the branches, office addresses and office holders of registered organisations lodged under s.233(2) of the RO Act. The publication of this information provides transparency to members and the general public and facilitates accountability.

## Educational reference documents

The ROC is committed to providing education, assistance and advice to registered organisations as part of the functions set out in s.329AB of the RO Act. Our primary educational goal is to maximise voluntary compliance with statutory obligations under the RO Act, to promote the effective governance, accountability and transparency of registered organisations and to thereby reduce the need for enforcement action.

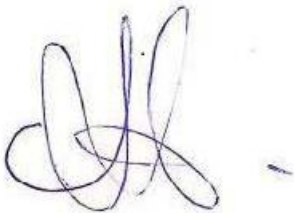
As one part of a strategy to assist organisations to increase voluntary compliance with the s.233(2) obligation, the ROC has recently produced some new educational guides which are **enclosed**:

- Guidance Note – a quick reference guide in the form of a table, using scenarios where organisation staff and office holders may be unsure if they are obliged to notify changes. The table contains references to all relevant legislative provisions;
- Fact Sheet – a separate fact sheet outlining the types of changes that need to be notified and what needs to be included with the notification;
- Legislative Summary – a brief summary of the history of the legislative provision to notify changes, included for the purpose of understanding the historical context of the obligation.

In addition, the ROC will continue its ongoing practice of providing courtesy reminder correspondence about the requirement to notify changes to office holders, whenever we are provided with election results from the Australian Electoral Commission (**AEC**). Further, the ROC proposes to audit and continue to review compliance with this important statutory obligation.

Should you have any questions or feedback in relation to this correspondence, I can be contacted on 1300 341 665 or via [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours faithfully,



Chris Enright  
Executive Director  
Registered Organisations Commission



# Fact sheet

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## Notification of changes

The *Fair Work (Registered Organisations) Act 2009* requires organisations of employers and employees to annually lodge certain information to the Registered Organisations Commission (the ROC). In addition, whenever any changes occur in relation to certain records, registered organisations are required to lodge a notification of change to the ROC. The change must be lodged within 35 days after the change occurs.

## Records requiring notifications of any changes

If any of the following records change, the organisation must notify the ROC of the change within 35 days after the change occurs:

- the list of offices in the organisation or in a branch of the organisation
- the name, postal address or occupation of a person holding office
- the name of a branch of the organisation
- the commencement or cessation of a branch of the organisation
- the address of the office of the organisation, or the address of the office of a branch of the organisation

## What does the ROC do with the information?

Records including the above information are required to be lodged by each organisation by 31 March in each year in the Annual Return of Information. Annual Returns are published under the corresponding organisation on the ROC website. This information can be found by clicking on the 'Find a Registered Organisation' tab. Notifications of changes are published in descending date order within the corresponding year's annual return document. This enables members to view the changes with reference to the complete list of office holders.

## When changes must be notified

Details of any changes must be notified within 35 days after the change occurs, as prescribed by regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009*.

## What needs to be included?

**NOTE:** *The ROC recommends use of the sample Notification of Changes template, as provided below, to help ensure that all of the required details are included in a notification of change*

- The notification must be lodged with a declaration signed by the Secretary or another office holder whose duties under the rules of the organisation or branch include lodging required information to

the statutory body. The declaration must contain a statement that the information lodged is a correct statement of the changes made.

- The notification must include details of each relevant office/office holder/branch to which the changes have occurred.
- The notification must include the date the change occurred and clearly specify what the change was.
- The notification must indicate the date on which the changes occurred, as this pertains to the obligation to lodge the notification within 35 days of the change.
- For changes to office holders the following details are also required:
  - The title of the relevant office
  - The name of each new or former office holder
  - the postal address of each new office holder. For privacy reasons, the ROC recommends using the postal address of the relevant organisation/branch, rather than the residential address of the person.
  - The occupation of each new office holder
- For new branches the street address (not just a postal address) must be included.

## Who can sign the declaration?

The declaration must be signed by the Secretary or another office holder whose duties under the rules of the organisation or branch include lodging required information to the statutory body. A sample declaration template is provided below under 'sample notification of change template'.

If an organisation is divided into branches or divisions, the notification of change may be made by a national office holder or the relevant branch or division office holder, depending on who has authority under the rules of the organisation to do so.

## Sample Notification of Changes Template

The sample notification of change template provided below includes a sample declaration template and a sample notification table. The ROC recommends use of these documents to help ensure that all of the required information is provided.

- [Sample notification of change template](#)

## Find out more

- Guidance Note – ROC Quiz Answers - Notifications of Change
- Legislative Summary – Notifications of Change
- [ROC Internal Checklist – Notifications of change](#)
- [Fact Sheet – Records to be kept by registered organisations](#)
- [Fact Sheet – Records to be lodged annually by registered organisations](#)

For instructions on how to lodge a notification of changes with the ROC, please refer the [Lodging Documents](#) section of our website.



# Guidance Note

## Notifications of Change ROC Quiz

<u>Question</u>	<u>Answer</u>	<u>Reference</u> * <b>RO Act</b> = Fair Work (Registered Organisations) Act 2009; * <b>RO Regs</b> = Fair Work (Registered Organisations) Regulations 2009).
<b>1. Do organisations need to lodge a notification of changes <i>IF</i>:</b>		
<b>a)</b> An elected office holder resigned but the term of office was almost over	<b>YES</b> – any change to the list of office holders of the organisation or a branch of the organisation must be notified within 35 days of the change.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(b) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
<b>b)</b> A person leaves an office but the person replacing them will not commence for a few weeks	<b>YES</b> – this requires <u>two</u> notifications – one for the office holder leaving, and one for the person replacing them. If both changes can be notified within 35 days of the earliest change, they can be included together in just one notification, however, we recommend notifying each change as soon as possible after it occurs in order to ensure compliance.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
<b>c)</b> An elected national office holder relocated to a different state	<b>YES</b> – any change to the address of an office holder must be notified within 35 days of the change	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
<b>d)</b> A branch relocated to different premises	<b>YES</b> – any change to the office name or address of the organisation, or of a branch of the organisation, must be notified within 35 days of the change.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(d) of the RO Act;</li> <li>• Reg.147(d)(ii) of the RO Regs;</li> <li>• Reg.151 of the RO Regs</li> </ul>
<b>e)</b> The Secretary’s telephone number or email address changed	Not required under the legislation – however, it is beneficial to update us with any changes to contact details so we can provide alerts for upcoming lodgement dates and other important information. You can email <a href="mailto:regorgs@roc.gov.au">regorgs@roc.gov.au</a> to advise changes to telephone and email addresses.	<b>N/A</b>
<b>f)</b> A Branch office changed its’ telephone number or	Not required under the legislation – however, it is beneficial to keep	<b>N/A</b>

	preferred email address	us updated with relevant contact details to facilitate ROC alerts for upcoming lodgement dates and other important information updates. You can email <a href="mailto:regorgs@roc.gov.au">regorgs@roc.gov.au</a> to advise changes to telephone and email addresses.	
	<b>g)</b> The AEC has recently provided a declaration of results for an election to the organisation and the email shows that it was also sent to the ROC by the AEC	<b>YES</b> – the organisation is still required to formally notify the ROC of any <u>changes</u> to the list of office holders in the organisation or any of its’ branches. If an election results in any changes to the people holding offices, those changes must be formally notified within 35 days of the change.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>h)</b> An entire branch is abolished	<b>YES</b> - the organisation is required to notify the ROC of any changes to its’ list of branches; any changes to the list of offices in a branch of the organisation; and any changes to the list of names, postal addresses and occupations of people holding those offices	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Sections 230(1)(b), (c) and (d) of the RO Act;</li> <li>• Regs.147(a), (c) and (e)(ii) of the RO Regs;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>i)</b> A person is re-elected to the same office they already held, and they are listed in the most recent annual return list of office holders	<b>NO</b> – only changes need to be notified to the ROC	N/A
	<b>j)</b> A person is re-elected, but to a different office	<b>YES</b> – any <u>changes</u> to the list of office holders in the organisation or any of its’ branches needs to be notified to the ROC within 35 days.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>k)</b> A Committee of Management Member resigned, but they are not the President, Secretary, Assistant Secretary or Treasurer	<b>YES</b> – members of the Committee of Management are officers as defined in the Act. Any changes in relation to such offices must be lodged within 35 days of the date the change took place.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 9 of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>l)</b> A person resigned but it won’t take effect for three months	<b>NOT YET</b> – a notification of change needs to be lodged within 35 days after the change takes effect. This means it must be lodged between the day it takes effect and 35 days later.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>m)</b> A person has been elected but they won’t take office until a set date in the future	<b>NOT YET</b> – a notification of change needs to be lodged after the change takes effect. It must be lodged between the date it takes effect and 35 days later.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>2. What needs to be included in the notification?</b>	A notification of change needs to include relevant details of the change. In relation to a change of	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.147 of the RO Regs</li> </ul>



	office holder, this will include the date the change occurred, the title of the relevant office, the name of the relevant person/people, whether they have ceased or commenced office, the postal address of the person / people (we recommend using the relevant organisation/branch address for privacy reasons), and the title of the occupation of the person / people. We recommend using the <a href="#">Notification of Changes template</a> , which is available on the <a href="#">Notification of Changes page</a> of the ROC website.	
Do organisations need to lodge:		
An amended list of all of the officers	NO – only details of the changes need to be lodged. If you lodge the entire list again and do not identify the changes staff of the ROC will ask you to specify what the changes are and when they occurred	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act</li> </ul>
Officers' names	YES	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act</li> </ul>
Officers' occupation titles	YES	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act</li> </ul>
Officers' <i>home</i> addresses	NO – please do not lodge their home addresses. The ROC publishes all of the returns on the website – please list their professional addresses	N/A
Officers' <i>professional</i> addresses	YES – this can be the address of the Union or Employer Association, or the relevant branch	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act</li> </ul>
<u>ONLY</u> the changes to the President, Treasurer, Vice President and Secretary	NO – notifications of change are required in relation to <u>all offices</u> in which a change has occurred. Offices include Committee of Management Members (however named - including, for example, Directors of the Board)	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act;</li> <li>Section 9 of the RO Act;</li> </ul>
A soft copy by email and a hard copy by post	NO – the ROC only requires one lodgement and email is the preferred method. The email address to lodge the notifications is <a href="mailto:regorgs@roc.gov.au">regorgs@roc.gov.au</a> .	N/A
Copies of resignations	NO – proof of leaving office is only required for evidence in relation to casual vacancy election matters. Evidence is not required in relation to notifications of changes.	N/A
Does it need to be signed?	YES – the notification must accompany a declaration stating that the copy of records lodged is a	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Reg.150 of the RO Regs</li> </ul>

	correct statement of the changes made. The declaration must be signed by the Secretary or another current officer whose duties under the rules include lodging required information to the statutory body.	
<b>3. Elections and Notifications of change</b>		
a) If an officer resigns do organisations need to lodge the Prescribed Information for a casual vacancy election separately to the notification of changes?	YES – the notification process is completely separate to the election process. Notification of a vacant office does not cause an election process to automatically start. For information about lodging Prescribed Information for elections, see the <a href="#">Elections page</a> of the ROC website.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> </ul>
b) Do organisations need to advise the ROC about changes even when the ROC has been provided with the declaration of results for an election by the AEC?	YES – it is one of the statutory obligations of organisations to notify the ROC, in writing, of any changes to the records the organisation has lodged. The AEC declaration of results provides the names of office holders elected, but does not indicate whether this constitutes a change to the list of office holders that the organisation lodged with the annual return.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act</li> </ul>
c) If evidence of a vacancy has already been provided to the organisation for an election matter, is it still necessary to lodge a notification of the change?	YES – the notification of changes process and requirements are completely separate to those of the election process.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> </ul>



# Guidance Note

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## **Summary and Historical Context of the Legislative Provisions**

A brief explanation of the historical context surrounding the reporting obligation to notify changes is provided below. This information is intended to promote a better understanding of the reporting obligation, as well as an understanding of some of the purposes of the obligation.

As an overview, the statutory requirement for federally registered organisations to notify the relevant regulator of changes to records:

- appears to have been part of the relevant legislative scheme for over a century,
- has varied in terms of the time periods allowed for the changes to be notified to the relevant regulator,
- is an essential, fundamental and appropriate statutory obligation which provides transparency to members and the regulator.

## **Summary of the current provisions relevant to notifications of changes**

'RO Act' means *Fair Work (Registered Organisations) Act 2009*.

'RO Regs' means *Fair Work (Registered Organisations) Regulations 2009*.

Subsection 233(2) of the RO Act provides that:

An organisation must, within the prescribed period, lodge with the Commissioner notification of any change made to the records required to be kept under paragraphs 230(1)(b), (c) and (d), certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made.

Civil penalty: 60 penalty units.

Subsections 230(1)(b), (c) and (d) of the RO Act provide that:

- (1) An organisation must keep the following records:
  - (a) a list of the offices in the organisation and each branch of the organisation;
  - (c) a list of the names, postal addresses and occupations of the persons holding the offices;
  - (d) such other records as are prescribed.

Regulation 147 of the RO Regs provides that:

For paragraph 230(1)(d) of the Act, the following records are prescribed in relation to an organisation:

- (a) a record of the name of each branch of the organisation;
- (b) a record of the name of each branch that commenced operation in the previous 12 months;
- (c) a record of the name of each branch that ceased operation in the previous 12 months;

- (d) a record of the address of:
  - (i) the office of the organisation; and
  - (ii) the office of each branch of the organisation;
- (e) a record of each election that must, under the rules of the organisation, be held during each year commencing 1 January:
  - (i) for an office in the organisation; and
  - (ii) for an office in a branch of the organisation;
- (f) a record of the number of members on 31 December in the previous year;
- (g) if the organisation has entered into an agreement mentioned in subsection 151(1) of the 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 section 150 of the Act.

Regulation 151 of the RO Regs provides that:

For subsection 233(2) of the Act, for the lodgment of notification of any change to the records, the period of 35 days, beginning on the day after the day when the change is made, is prescribed.

Section 5 of the RO Act provides that:

The standards set out in this Act:

- (a) ensure that employer and employee organisations registered under this Act are representative of and accountable to their members, and are able to operate effectively; and
- (b) encourage members to participate in the affairs of the organisations to which they belong; and
- (c) encourage the efficient management of organisations and high standards of accountability of organisations to their members; and
- (d) provide for the democratic functioning and control of organisations; and
- (e) facilitate the registration of a diverse range of employer and employee organisations.

### **Brief chronological history of the legislative provision**

1913 - The history of the provision for registered organisations to notify changes to relevant statutory body can be traced back to 1913. The *Conciliation and Arbitration Regulations 1913*, contained the 'Returns of Officers' provision at regulation 19, which required updates of lists of office holders to be provided within 14 days of any change.

1928 - The *Conciliation and Arbitration Regulations 1928* contained requirements relating to records at regulation 20 and this requirement bears similarity to the obligation set out in s 233(2) of the current RO Act. From 1928, the statutory requirement in accordance with regulation 23 was that changes to the records of registered organisations were to be filed with the relevant regulator within 14 days.

1989 - In 1989, the obligation on a registered organisation to notify the relevant regulator of changes to office holders was found in regulation 131, and notifications of changes were required to be lodged within 35 days. The requirement transitioned into the *Industrial Relations Act 1988* by virtue of section 268(4) taking effect in March 1989.

1988 - The *Industrial Relations Act 1988* was replaced by the *Workplace Relations Act 1996*.

2002 - The *Workplace Relations Amendment (Registration and Accountability of Organisations) Act 2002* placed the reporting obligations of registered organisations into a separate schedule. This amendment introduced Schedule 1B to the *Workplace Relations Act 1996*, which was the original RAO (*Registration and Accountability of Organisations*) Schedule. The RAO schedule included section 233 which is very similar to the provision in s.233(2) of the current RO Act.

2009 - The RAO schedule later became the *Fair Work (Registered Organisations) Act 2009*.



17 October 2017

Dr Stuart Day  
Federal Secretary / Treasurer  
Australian Salaried Medical Officers Federation  
asmof@asmof.org.au

CC: South Australia Branch, sasmoa@sasmoa.com

Dear Dr Day,

**Notification of changes made to records [AR2017/75]**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Salaried Medical Officers Federation.

This information was lodged with the Registered Organisations Commission (the ROC) in accordance with s.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
12/10/2017	South Australia	New Federal Council Delegate (1)

Section 293K of 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 contained in the RO Act.

Thank you for the notification.

Yours faithfully,

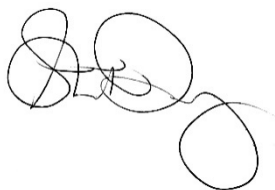
**Christine Hibberd**  
**Registered Organisations Commission**

**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, Dr Stuart DAY, being the Federal Secretary of the Australian Salaried Medical Officers' Federation, 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:

A handwritten signature in black ink, appearing to read 'Stuart Day', with a large loop at the end.

Dr Stuart DAY  
Federal Secretary

Dated: 12 October 2017

*[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.*

<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> (for privacy reasons, we recommend NOT a private address)	<b>Occupation of <u>New</u> Office Holder</b>
<b>South Australia</b>	14.9.17	Federal Council delegate	vacant	Appointment by Branch Council	Laura Willington	c/- 1 <sup>st</sup> Floor, 161 Ward Street, North Adelaide SA 5006	Medical practitioner



26 June 2017

Dr Stuart Day  
Federal Secretary  
Australian Salaried Medical Officers Federation  
Email: [asmof@asmof.org.au](mailto:asmof@asmof.org.au)

Dear Dr Day,

**Notification of changes made to records [AR2017/75]**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Salaried Medical Officers Federation.

This information was lodged with the Registered Organisations Commission (the ROC) in accordance with s.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
22 June 2017	Queensland	Branch Councillor (3)

Section 293K of 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 contained in the RO Act.

Thank you for the notification.

Yours faithfully,

**Michael Moutevelis**  
Registered Organisations Commission



**svc-adlib5**

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**From:** Marika De Vecchis <marikad@asmof.org.au>  
**Sent:** Thursday, 22 June 2017 3:33 PM  
**To:** ROC - Registered Org Commission  
**Subject:** AR2017/75 ASMOF QLD Notification of changes to records  
**Attachments:** notification of changes to records ROC.docx

Please find attached a notification of changes to records of the Federation.

Regards

*Marika De Vecchis*

*Federal Executive Officer*

*Australian Salaried Medical Officers' Federation*

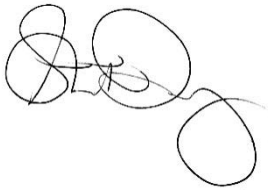
*Ph.: 02 9212 6900*

**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, Dr Stuart DAY, being the Federal Secretary of the Australian Salaried Medical Officers' Federation, 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:



Dr Stuart DAY  
Federal Secretary

Dated: 22 June 2017

*[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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
Queensland	13.6.17	Branch Councillor	Felicity Jensen		Daniel Halliday	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner
	13.6.17	Branch Councillor	Andrew Maurice		Luke Dwyer	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner
	13.6.17	Branch Councillor	Benjamin Wakefield		Chris Maguire	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner



31 March 2017

Dr Stuart Day  
Federal Secretary  
Australian Salaried Medical Officers Federation  
Email: [asmof@asmof.org.au](mailto:asmof@asmof.org.au)

Dear Dr Day,

**Annual Return of Information for 2017 [AR2017/75]**

I acknowledge receipt on 23 March 2017 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The documents lodged cover the required information for the 2017 Annual Return of Information of Australian Salaried Medical Officers Federation.

The documents have been filed and can be viewed on the Fair Work Commission website through the List of Registered Organisations - <http://www.fwc.gov.au/registered-organisations/find-registered-organisations>.

**Notifications of Change**

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

The Commission will accept notifications of change from the relevant branches or from the national office. If the national office does NOT intend to file notifications of change, please ensure that all branches are aware of their continuing obligation and the requisite time frames regarding notifications of change.

If a branch lodges a notification of change with the Commission, the branch should also provide the information to the national body in order to ensure that the organisation is able to comply with its obligations under section 233(1) of the RO Act.

Yours sincerely

Michael Moutevelis  
Regulatory Compliance Branch

**svc-adlib5**

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**From:** Marika De Vecchis <marikad@asmof.org.au>  
**Sent:** Thursday, 23 March 2017 4:43 PM  
**To:** Orgs  
**Subject:** Annual Return of Information for 2017  
**Attachments:** 2017 annual return FWC.docx

Please find attached the Federation's Annual Return.

Regards  
*Marika De Vecchis*  
*Federal Executive Officer*  
*Australian Salaried Medical Officers' Federation*  
*Ph.: 02 9212 6900*

**ANNUAL RETURN OF INFORMATION (organisation with branches) in accordance with Regulation 147 *Fair Work (Registered Organisations) Regulations 2009* and Sections 230 and 233 *Fair Work (Registered Organisations) Act 2009***

I, Dr Stuart DAY, being the Federal Secretary of the Australian Salaried Medical Officers' Federation, 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 3, Suite 46, 330 Wattle Street, Ultimo in the State of New South Wales.<sup>1</sup>
  - The name and address of each branch of the organisation is:<sup>2</sup>
    1. New South Wales Branch: Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007
    2. Victoria Branch: 293 Royal Parade, Parkville VIC 3052
    3. South Australia Branch: 1<sup>st</sup> Floor, 161 Ward Street, North Adelaide SA 5006
    4. Western Australia Branch: 14 Stirling Highway, Nedlands WA 6009
    5. Queensland Branch: 88 L'Estrange Terrace, Kelvin Grove QLD 4059
    6. Australian Capital Territory Branch: Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007
    7. Northern Territory Branch: 2/25 Parap Road, Parap NT 0820
    8. Tasmania Branch: 147 Davey Street, Hobart TAS 7000

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

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

- On 31 December in the previous year the number of members was 11,614.<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>

1. Organisation elections

Nil

2. Branch elections

New South Wales Branch:

Branch Councillor (11)

Victoria Branch:

Branch Councillor (8)

South Australia Branch:

Branch Councillor (9)

Federal Council delegate (1)

Queensland Branch:

Branch Councillor (21)

Federal Council delegate (2)

Tasmania Branch:

Branch Vice-President

Branch Secretary

Branch Assistant Secretary/Treasurer

Branch Councillor (2)

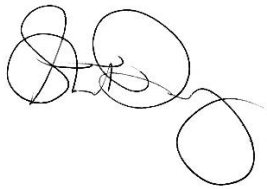
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<sup>3</sup> s.230(1)(d); reg.147(f)

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

- During the previous 12 months:<sup>5</sup>
  - no Branch has COMMENCED operation
  - no Branch has CEASED operation.
  
- The organisation:
  - Has not entered into an agreement under s.151(1) of the Act with a state union.

Signed:



Dr Stuart DAY  
Federal Secretary

Dated: 23 March 2017

*[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(b) & (c)

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



## ANNEXURE A

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

Branch	Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
<b>Federal</b>	President	Geoffrey Dobb	c/- Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007	Medical practitioner
	Vice-President	Tony Sara	As above	Medical practitioner
	Secretary	Stuart Day	As above	Medical practitioner
	Assistant Secretary/Treasurer	Roderick McRae	As above	Medical practitioner
	Executive Member	David Pope	As above	Medical practitioner
	Executive Member	David Chapman	As above	Medical practitioner
	Executive Member	James Finn	As above	Medical practitioner
	Executive Member	Lavinia Hallam	As above	Medical practitioner
	Federal Council Delegate	Tom Karplus	As above	Medical practitioner
	Federal Council Delegate	Cameron Korb-Wells	As above	Medical practitioner
	Federal Council	James Colebatch	As above	Medical practitioner

	Delegate			
	Federal Council Delegate	David Rosenfeld	As above	Medical practitioner
	Federal Council Delegate	Tony Joseph	As above	Medical practitioner
	Federal Council Delegate	Jae Min Park	As above	Medical practitioner
	Federal Council Delegate	Alan Pham	As above	Medical practitioner
	Federal Council Delegate	Tony Sara	As above	Medical practitioner
	Federal Council Delegate	Arian Lasocki	c/- 293 Royal Parade, Parkville VIC 3052	Medical practitioner
	Federal Council Delegate	Howard Machlin	As above	Medical practitioner
	Federal Council Delegate	Roderick McRae	As above	Medical practitioner
	Federal Council Delegate	Bernadette Wilks	As above	Medical practitioner
	Federal Council Delegate	Xavier Yu	As above	Medical practitioner
	Federal Council Delegate	Christopher Verco	c/- 1 <sup>st</sup> Floor, 161 Ward Street, North Adelaide SA 5006	Medical practitioner

	Federal Council Delegate	Stephanie Cooper	As above	Medical practitioner
	Federal Council Delegate	David Pope	As above	Medical practitioner
	Federal Council Delegate	Sally Rischbieth	As above	Medical practitioner
	Federal Council Delegate	vacant	As above	Medical practitioner
	Federal Council Delegate	Geoffrey Dobb	c/- 14 Stirling Highway, Nedlands WA 6009	Medical practitioner
	Federal Council Delegate	David Mountain	As above	Medical practitioner
	Federal Council Delegate	Christopher Wilson	As above	Medical practitioner
	Federal Council Delegate	Michael Lumsden-Steel	c/- 147 Davey Street, Hobart TAS 7000	Medical practitioner
	Federal Council Delegate	Stuart Day	As above	Medical practitioner
	Federal Council Delegate	Lavinia Hallam	c/- Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007	Medical practitioner
	Federal Council Delegate	Bronwyn Avard	As above	Medical practitioner
	Federal Council	David Chapman	c/- 2/25 Parap Road, Parap NT 0820	Medical practitioner

	Delegate			
	Federal Council Delegate	Stephen Gourley	As above	Medical practitioner
	Federal Council Delegate	James Finn	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner
	Federal Council Delegate	Vinesh Appadurai	As above	Medical practitioner
	Federal Council Delegate	Matthew Cheng	As above	Medical practitioner
	Federal Council Delegate	Katharine Sinclair	As above	Medical practitioner
	Federal Council Delegate	vacant	As above	Medical practitioner
	Federal Council Delegate	vacant	As above	Medical practitioner
<b>NSW</b>	President	Tony Sara	c/- Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007	Medical practitioner
	Vice President	David Rosenfeld	As above	Medical practitioner
	Secretary	Tom Karplus	As above	Medical practitioner
	Assistant Secretary/Treasurer	Cameron Korb-Wells	As above	Medical practitioner
	Branch Councillor	James Colebatch	As above	Medical practitioner

	Branch Councillor	Sylvia Barber	As above	Medical practitioner
	Branch Councillor	Roger Traill	As above	Medical practitioner
	Branch Councillor	Leo Leader	As above	Medical practitioner
	Branch Councillor	Claire Blizard	As above	Medical practitioner
	Branch Councillor	Justine Harris	As above	Medical practitioner
	Branch Councillor	Sanjay Hettige	As above	Medical practitioner
	Branch Councillor	Michael Boyd	As above	Medical practitioner
	Branch Councillor	Ross White	As above	Medical practitioner
	Branch Councillor	Steven Hurwitz	As above	Medical practitioner
	Branch Councillor	Tony Joseph	As above	Medical practitioner
	Branch Councillor	Katherine Kearney	As above	Medical practitioner
	Branch Councillor	Tessa Kennedy	As above	Medical practitioner
	Branch Councillor	Amanda Laurent	As above	Medical practitioner
	Branch Councillor	Tom Martin	As above	Medical practitioner
	Branch Councillor	Andrew McDonald	As above	Medical practitioner
	Branch Councillor	Bernard Myers	As above	Medical practitioner
	Branch Councillor	Jae Min Park	As above	Medical practitioner
	Branch Councillor	Alan Pham	As above	Medical practitioner

	Branch Councillor	Adrian Buckley	As above	Medical practitioner
	Branch Councillor	Hans Peter Dietz	As above	Medical practitioner
	Branch Councillor	Suzanna Goodison	As above	Medical practitioner
	Branch Councillor	Robert Halliday	As above	Medical practitioner
	Branch Councillor	Wayne Hsueh	As above	Medical practitioner
	Branch Councillor	Matthew Irwin	As above	Medical practitioner
	Branch Councillor	Pesi Katrak	As above	Medical practitioner
	Branch Councillor	Boris Waldman	As above	Medical practitioner
	Branch Councillor	Jason Wu	As above	Medical practitioner
	Branch Councillor	Choong-Siew Yong	As above	Medical practitioner
	Branch Councillor	Donald Hannah	As above	Medical practitioner
<b>Victoria</b>	President	Roderick McRae	c/- 293 Royal Parade, Parkville VIC 3052	Medical practitioner
	Vice President	Pearly Khaw	As above	Medical practitioner
	Secretary	Richard Waller	As above	Medical practitioner
	Assistant Secretary/Treasurer	Xavier Yu	As above	Medical practitioner
	Branch Councillor	Andrew Nunn	As above	Medical practitioner
	Branch Councillor	Bernadette Wilks	As above	Medical practitioner

	Branch Councillor	Howard Machlin	As above	Medical practitioner
	Branch Councillor	Tim Baker	As above	Medical practitioner
	Branch Councillor	Arian Lasocki	As above	Medical practitioner
	Branch Councillor	Nigel Beck	As above	Medical practitioner
	Branch Councillor	John Moloney	As above	Medical practitioner
	Branch Councillor	Albert Rudock	As above	Medical practitioner
<b>South Australia</b>	President	David Pope	c/- 1 <sup>st</sup> Floor, 161 Ward Street, North Adelaide SA 5006	Medical practitioner
	Vice President	Christopher Verco	As above	Medical practitioner
	Secretary	Laura Willington	As above	Medical practitioner
	Assistant Secretary/Treasurer	Stephanie Cooper	As above	Medical practitioner
	Branch Councillor	George Balalis	As above	Medical practitioner
	Branch Councillor	Oseloka Onuma	As above	Medical practitioner
	Branch Councillor	Julian White	As above	Medical practitioner
	Branch Councillor	Corinne Maiolo	As above	Medical practitioner
	Branch Councillor	Benjamin Teague	As above	Medical practitioner
	Branch Councillor	Sally Rischbieth	As above	Medical practitioner
	Branch Councillor	Mrudula Kanhere	As above	Medical practitioner

	Branch Councillor	Vicki Jones	As above	
<b>Western Australia</b>	President	Geoffrey Dobb	c/- 14 Stirling Highway, Nedlands WA 6009	Medical practitioner
	Vice President	Christopher Wilson	As above	Medical practitioner
	Secretary	David Mountain	As above	Medical practitioner
	Assistant Secretary/Treasurer	Ian Jenkins	As above	Medical practitioner
	Branch Councillor	Malcolm Thompson	As above	Medical practitioner
	Branch Councillor	Johan Rosman	As above	Medical practitioner
	Branch Councillor	Natalia Magana	As above	Medical practitioner
	Branch Councillor	Paul Woods	As above	Medical practitioner
	Branch Councillor	Janet Hornbuckle	As above	Medical practitioner
	Branch Councillor	David McCoubrie	As above	Medical practitioner
	Branch Councillor	Nigel Armstrong	As above	Medical practitioner
	Branch Councillor	Tony Ryan	As above	Medical practitioner
	Branch Councillor	Katherine Langdon	As above	Medical practitioner
<b>Queensland</b>	President	Stephen Morrison	c/- 88 L'Estrange Terrace, Kelvin Grove QLD 4059	Medical practitioner
	Vice President	Suzanne Royle	As above	Medical practitioner
	Secretary	James Finn	As above	Medical practitioner



	Assistant Secretary/Treasurer	Nikola Ognyenovits	As above	Medical practitioner
	Branch Councillor	Vinesh Appadurai	As above	Medical practitioner
	Branch Councillor	Matthew Cheng	As above	Medical practitioner
	Branch Councillor	Katharine Sinclair	As above	Medical practitioner
	Branch Councillor	Hau Tan	As above	Medical practitioner
	Branch Councillor	Christopher Turnbull	As above	Medical practitioner
<b>Australian Capital Territory</b>	President	Lavinia Hallam	c/- Level 3, Suite 46, 330 Wattle Street, Ultimo NSW 2007	Medical practitioner
	Vice President	Douglas Taupin	As above	Medical practitioner
	Secretary	Richard Singer	As above	Medical practitioner
	Assistant Secretary/Treasurer	Michael Falk	As above	Medical practitioner
	Branch Councillor	Bronwyn Avard	As above	Medical practitioner
	Branch Councillor	Robin Stuart-Harris	As above	Medical practitioner
	Branch Councillor	Jeffrey Looi	As above	Medical practitioner
<b>Northern Territory</b>	President	David Chapman	c/- 2/25 Parap Road, Parap NT 0820	Medical practitioner
	Vice President	Stephen Gourley	As above	Medical practitioner

	Secretary	Kane Vellar	As above	Medical practitioner
	Assistant Secretary/Treasurer	Tessa Finney-Brown	As above	Medical practitioner
	Branch Councillor	Robert Parker	As above	Medical practitioner
<b>Tasmania</b>	President	Stuart Day	c/- 147 Davey Street, Hobart TAS 7000	Medical practitioner
	Vice President	vacant	As above	Medical practitioner
	Secretary	vacant	As above	Medical practitioner
	Assistant Secretary/Treasurer	vacant	vacant	Medical practitioner
	Branch Councillor	Michael Lumsden-Steel	As above	Medical practitioner
	Branch Councillor	Mahendran Gajaharan	As above	Medical practitioner



1 March 2017

Dr Stuart Day  
Federal Secretary / Treasurer  
Australian Salaried Medical Officers Federation  
asmof@asmof.org.au

Dear Dr Day,

**Australian Salaried Medical Officers Federation  
Annual Return of Information for 2017 [AR2017/75]**

I refer to our letter of January 2017 reminding you of the obligation to lodge an Annual Return of Information for 2017 by 31 March 2017. 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 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) or the Registered Organisation Commission (the ROC) by the 31 March 2017.

It is not yet known when the ROC will be established. We strongly encourage you to lodge the Annual Return of Information with the Fair Work Commission as soon as possible to avoid any potential administrative delays which may be caused by new email and postal addresses and contact phone numbers with the newly created ROC.

**Where to lodge your Annual Return of information**

	<b>Before the ROC is established</b>	<b>From establishment of the ROC</b>
<b>Where to lodge</b>	Lodge your Annual Return of information with the Fair Work Commission	Lodge your Annual Return of information with the ROC
<b>How to lodge</b>	The easiest way to lodge your Annual Return of information is via email: <a href="mailto:orgs@fwc.gov.au">orgs@fwc.gov.au</a>	Lodgement methods are not yet known
<b>Recommendation</b>	Lodge with the Fair Work Commission as soon as possible to avoid potential delays	

**What must be lodged?**

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. Further, you are reminded that the Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records that may occur throughout the year.

If you require further information about an Annual Return you can refer to the ['Annual Information Requirements'](#) page on our website and, in particular, our Webinar slides.

11 Exhibition Street  
Melbourne VIC 3000  
GPO Box 1994  
Melbourne VIC 3001

Telephone: (03) 8661 7777  
Email : [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)  
Internet : [www.fwc.gov.au](http://www.fwc.gov.au)

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.

We encourage you to lodge all returns electronically (e.g. as a pdf file) 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 \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act. Finally, 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).

Please do not hesitate to contact the Commission by phone on (03) 8661 7777 or by e-mail at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Christine Hibberd  
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 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*].



20 January 2017

Dr Stuart Day  
Federal Secretary / Treasurer  
Australian Salaried Medical Officers Federation

By email: [asmof@asmof.org.au](mailto:asmof@asmof.org.au)

Dear Dr Day,

**Australian Salaried Medical Officers Federation  
Annual Return of Information for 2017 [AR2017/75]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2017 in respect of the Australian Salaried Medical Officers Federation by **31 March 2017**. However, for the reasons explained below, we strongly recommend that organisations lodge the Annual Return of information **as soon as possible**.

**The new Registered Organisations Commission**

The Registered Organisations Commission (the ROC) will be created in 2017.

Annual Returns of Information must be lodged with the Fair Work Commission until the ROC is established. Once the ROC is established, Annual Returns of information must be lodged with the ROC.

It is not yet known when the ROC will be established. We strongly encourage you to lodge the Annual Return of Information with the Fair Work Commission **as soon as possible** to avoid any potential administrative delays which may be caused by new email and postal addresses and contact phone numbers with the newly created ROC.

The Fair Work Commission will be providing information on the transition to the ROC through its subscription service and its website. For details about the subscription service, go to [Subscriptions](#) and subscribe to the Registered organisations information service.

**Where to lodge your Annual Return of information**

	<b>Before the ROC is established</b>	<b>From establishment of the ROC</b>
<b>Where to lodge</b>	Lodge your Annual Return of information with the Fair Work Commission	Lodge your Annual Return of information with the ROC
<b>How to lodge</b>	The easiest way to lodge your Annual Return of information is via email: <a href="mailto:orgs@fwc.gov.au">orgs@fwc.gov.au</a>	Lodgement methods are not yet known
<b>Recommendation</b>	Lodge with the Fair Work Commission as soon as possible to avoid potential delays	

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

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*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 Fair Work Commission (or the ROC when it is established) 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 \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act.

Please do not hesitate to contact the Commission by phone on (03) 8661 7777 or by e-mail at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,



Marianne Kay  
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>
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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 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*].