



18 July 2017

Mr Kevin McDonald
President
Australian Security Industry Association Ltd
ir@asial.com.au

Dear Mr McDonald,

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 a contested office for National Branch[E2017/34]. 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 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 Security Industry Association Ltd 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

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, [NAME], being the [OFFICER] of the [ORGANISATION NAME], 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*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. *[include OLD name and address and NEW name and address of every branch that has changed]*
 2. ...
- 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.
- On [DATE] the following branch[es]:³
 - COMMENCED operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

ANNEXURE A

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

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

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

14 July 2017

Post-election Report

E2017/34 - Australian Security Industry Association Ltd



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Election(s) Covered in this Report

Election Decision No/s: E2017/34

Rules

Rules used for the election: [147N: Incorporates alterations of 06/03/2017
(R2016/326)]

Rules difficult to apply/interpret: N/A

Roll of Voters

Total number of names on the roll of voters	1961
Ballot papers issued	1961
Replacement ballot papers issued	0
Total Ballot Papers Issued	1961
Ballot papers / envelopes returned for scrutiny	301
Less ballot papers / envelopes rejected at preliminary scrutiny	15
Adjusting balance	286
Total Ballot Papers Admitted to Scrutiny	286
Percentage of ballot papers returned to number issued	15.35%

Irregularities

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

Other Matters

Arthur J. Barker, one of the candidates expressed his concern about the '21 day ballot closing period' followed according to Rule No. 16.5.2 of the organisation. He advised that it was very difficult for the voters of WA to receive and return the ballot materials within the designated ballot time frame. Thus voters of WA was disadvantaged.

Attachments

- 1) Declaration of Results

Ishtiaq Ahmed
Returning Officer

14 July 2017

**Australian Security Industry Association Ltd
Vacancy Election - Vice-President**

Declaration of Results for Contested Offices

E2017/34

Below are 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.

Vice President

Total number of names on the roll of voters	1961
Ballot papers issued	1961
Replacement ballot papers issued	0
Total Ballot Papers Issued	1961
Ballot papers / envelopes returned for scrutiny	301
Less ballot papers / envelopes rejected at preliminary scrutiny	15
Adjusting balance	286
Total Ballot Papers Admitted to Scrutiny	286
Percentage of ballot papers returned to number issued	15.35%

Vice President

<u>Candidates</u>	<u>Votes</u>
ANDERSON, Rod	99
BARKER, Arthur John	58
GELLEL, John	110
Total votes	286
Formal ballot papers	267
Informal ballot papers	19

I declare John Gellel elected.



Ishtiaq Ahmed

Returning Officer
Australian Electoral Commission

28 June 2017



DECISION

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

Australian Security Industry Association Ltd
(E2017/34)

MR ENRIGHT

MELBOURNE, 21 FEBRUARY 2017

Arrangement for conduct of election.

[1] On 8 February 2017 the Australian Security Industry Association Ltd lodged with the Fair Work Commission the prescribed information in relation to an election for a casual vacancy for the remainder of the term of office in the following office:

Vice-President (1)

[2] I am satisfied that an election for the abovenamed office 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 GENERAL MANAGER

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From: Bryan de Caires <ceo@asial.com.au>
Sent: Wednesday, 8 February 2017 9:11 AM
To: Orgs
Subject: Prescribed Information for Elections
Attachments: 8 Feb 2017-Casual vacancy.pdf; Annexure A.pdf; Annexure B - SIA Security resignation.pdf

Categories: RIA

Please refer to attached correspondence.

Regards

Bryan de Caires
Chief Executive Officer
Australian Security Industry Association Ltd (ASIAL)
Tel: 02 8425 4300 Fax: 02 8425 4343
Website: www.asial.com.au

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**Australian Security Industry
Association Limited**

*The peak body for
security professionals*

Sent to: orgs@fwc.gov.au

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, Kevin McDonald, being the President of the Australian Security Industry Association Limited (ASIAL), make the following statement:

1. I am authorised to sign this statement containing prescribed information for ASIAL.
2. The following 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 set out in the table in Annexure A.
4. The resignation letter is attached for the casual vacancy in Annexure B.

Signed:

Kevin McDonald
Dated: 8 February 2017



**Australian Security Industry
Association Limited**

*The peak body for
security professionals*

ANNEXURE A

Elections that are required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
<i>National</i>	<i>Vice President</i>	<i>1</i>	<i>Direct Voting System</i>	<i>Casual vacancy (the resignation is attached as Annexure B)</i>	<i>All eligible members</i>

Important dates:

	Direct Voting System
Nominations OPEN	<i>to be determined by the returning officer'</i>
Nominations CLOSE	<i>At 12 noon 21 days after nominations open.</i>
Roll of Voters cut-off date	<i>to be determined by the returning officer'</i>

