



Australian Government
Registered Organisations Commission

16 April 2020

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

The Australian Workers' Union (AWU) membership records

I refer to the extensive previous communications and meetings about this matter between the Registered Organisations Commission (**ROC**), its predecessor the Fair Work Commission, and the AWU.

It is not proposed to again summarise the long history of this matter since concerns were first expressed to the AWU on 15 November 2016 about its reporting of membership figures. As you are aware, much of correspondence has been published on the ROC's website under AR2016/161 and is available via <https://www.roc.gov.au/find-a-registered-organisation/awu>.

It was clear by the time of our correspondence to you dated 7 October 2019, that after more than three years of seeking co-operatively to work with the AWU to ensure either an appropriate level of transparency or a satisfactory level of compliance with its statutory obligations, a number of matters had crystallised including the following:

1. The AWU has admitted that it has contravened a range of statutory reporting obligations concerning its membership reporting in each consecutive year between 2009 and 2017, although the nature and extent of those contraventions remains entirely unclear;
2. It is a matter of serious concern that notwithstanding the inquiries conducted by the ROC over the past three years, members of the AWU, other registered organisation stakeholders, and the community more broadly, have not been provided with substantive information about the AWU's membership figures between 2009 and 2017 or any explanation either about the nature and extent of the AWU's statutory contraventions or the reasons for them;
3. Unless the AWU is aware of circumstances to the contrary, there is no reason to suppose that it should not be expected to comply with the same statutory obligations in the *Fair Work (Registered Organisations) Act* 2009 (the **RO Act**) which apply to every other federally registered organisation. This is particularly important given that more than 100 other federally registered organisations have been required to expend their resources in complying with membership reporting over the relevant period and would expect a level and consistent regulatory playing field for all registered organisations; and

4. The ROC has no reason to doubt that the AWU has now implemented an array of changes to improve the accuracy of its membership reporting from 2018 and that the AWU is very confident its current system is able to report membership figures accurately.

In our 7 October 2019 correspondence, it was foreshadowed that we would correspond in due course with you about the steps we propose to take relevant to the membership issue. Since that time, we have been considering an appropriate response in the context of other priorities being dealt with by the ROC, including by taking into account other regulatory issues we are dealing with relevant to the AWU.

Action proposed by the ROC

The purpose of this correspondence is to inform you that we intend to commence a formal investigation under s.331 of the RO Act in relation to the AWU's membership issues. That investigation will focus in particular on the admissions made by the AWU that it has contravened a range of statutory reporting obligations concerning its membership reporting in each consecutive year between 2009 and 2017. The Commissioner has delegated to me the power to commence such an investigation.

However, the pragmatic regulatory approach currently being taken by the ROC in the circumstances of the COVID-19 pandemic have caused us to re-prioritise the work we are currently undertaking. As a result, we will not formally commence our investigation until the resource and other implications for registered organisations and regulators become clearer.

At a convenient time when those matters are able to be clarified, we will commence the investigation and formally write to the AWU to set out its scope and other relevant details. In the meantime, the AWU is not being requested to take any action in response.

While an investigation has not yet been formally commenced, it is our intention to investigate the AWU's membership reporting in each consecutive year between 2009 and 2017. Accordingly, noting the offence provisions in s.337AC of the RO Act, as a matter of prudence the AWU should keep, and not destroy (including as a matter of usual administrative practice), any documents or records that may be relevant to the investigation.

We will publish this letter in AR2016/161 but then close that file. As is our usual practice, we would not propose to publish any further correspondence concerning the investigation.

If you have any queries regarding the above, please do not hesitate to contact me on (03) 9603 0894 or via email at patrick.coyle@roc.gov.au.

Yours sincerely,



Patrick Coyle
Legal Counsel
Registered Organisations Commission



Australian Government
Registered Organisations Commission

7 October 2019

Misha Zelinsky
Acting National Secretary
Australian Workers' Union
Level 1, 16-20 Good Street, Granville
GRANVILLE NSW 2142

By email: [REDACTED]

c.c. Stephen Crawford, AWU National Legal Officer, [REDACTED]

Dear Mr Zelinsky

AWU membership records

I acknowledge your letter dated 1 October 2019 received by email at 5.11 pm on the same day as my earlier letter addressed to Mr Walton regarding the ROC's intention to give consideration as to the appropriate steps to be taken with respect to the matter.

I note the additional material provided with your letter relating to the steps taken to rectify issues identified by RSM in a report provided to the AWU in April 2018. We will review your advice about those steps noting that it appears the AWU relies on them to be confident that its current membership system is compliant with its statutory obligations from 2018 and going forward.

As I indicated in my correspondence dated 1 October 2019, there is no reason to suppose that the AWU should not be expected to comply with the same statutory obligations in the *Fair Work (Registered Organisations) Act 2009* which apply to every other federally registered organisation and that it appears the AWU admits it has contravened a range of its statutory reporting obligations concerning its membership reporting in each consecutive year between 2009 and 2017.

We will correspond with you further about the steps we propose to take in due course. In the meantime, should you like to discuss the matter I can be contacted on (03) 9603 0711 or via chris.enright@roc.gov.au.

Yours faithfully

Chris Enright
Executive Director
Delegate of the Commissioner

From: [Stephen Crawford](#)
To: [STEENSON,Bill](#)
Cc: [Misha Zelinsky](#); [Daniel Walton](#); [Kamal Farouque](#)
Subject: Re: Letter from ROC to AWU regarding membership records [SEC=OFFICIAL]
Date: Tuesday, 1 October 2019 17:13:34
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[AWU letter to ROC - 1 Oct 2019.pdf](#)

Dear Mr Steenson,

We write in relation to your email below.

The AWU's latest correspondence to ROC was being finalised today and is attached. We appreciate our response has taken some time but we have been endeavouring to ensure it is as thorough and comprehensive as possible.

Please contact me if you require any additional information.

Regards,

STEPHEN CRAWFORD
SENIOR NATIONAL LEGAL OFFICER



WWW.AWU.NET.AU

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From: "STEENSON,Bill" <Bill.Steenson@roc.gov.au>

Date: Tuesday, 1 October 2019 at 4:25 pm

To: 'Kamal Farouque' [REDACTED], "Daniel au">

[REDACTED], S Crawford [REDACTED]

Subject: Letter from ROC to AWU regarding membership records [SEC=OFFICIAL]

OFFICIAL

Good afternoon,

Please find attached letter of today's date from Chris Enright, Executive Director of the Registered Organisations Commission.

Regards

BILL STEENSON

Principal Lawyer, Compliance & Investigations

Registered Organisations Commission

Tel: (02) 8293 4665

Mob: [REDACTED]

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NATIONAL OFFICE

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Daniel Walton National and NSW Secretary



STRONGER TOGETHER

ABN 28 853 022 982

1 October 2019

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership records

We write further in response to your letter dated 12 July 2019.

As a consequence of the engagement between the AWU and ROC regarding previous membership reporting, the AWU commissioned auditors RSM Australia Pty Ltd ("**RSM**") to conduct a review of the AWU membership records and system and to make recommendations regarding the more effective conduct and administration of the system.

In April 2018, the RSM Report was provided to the AWU. The Report made a number of key recommendations which the AWU has sought to implement.

We consider it prudent in the circumstances to formally convey to the ROC the steps taken by the AWU to rectify issues identified by RSM in the conduct and administration of the AWU membership register and to promote future robust compliance within the AWU.

We set out below the steps taken by the AWU by reference to the numbered findings in the RSM Report.

RSM FINDING 2.1

In order to facilitate consistent national application of policies and procedures regarding membership management and reporting, the AWU has undertaken the following steps.

In mid-2018, the AWU developed a policy titled 'AWU Policy – Membership Register' ("**Membership Policy**") which is specifically directed at the maintenance of its membership register. A draft of the Membership Policy was provided to ROC for review and a range of helpful feedback was provided. ROC's feedback was incorporated into the final version of the policy which was approved by the AWU National Executive on 14 June 2018. A copy of the policy is attached to this correspondence and marked "**AWU 1**". A copy of relevant extracts from AWU National Executive Minutes which record the approval and implementation of the policy is attached and marked "**AWU 2**".

The Membership Policy has substantially assisted AWU Branches in implementing the requirements of the *Fair Work (Registered Organisations) Act 2009* (“**FW (RO) Act**”) and the AWU Rules.

In addition to the Membership Policy, automated ‘work-flows’ have been built into the AWU’s new membership database system which result in, for example, members who have not paid contributions for a period exceeding two years being automatically removed from the register within 28 days. A significant factor in the AWU deciding to change membership database systems was the potential to implement these types of improvements.

The AWU also made a number of changes to its registered rules to remove ambiguities relating to the maintenance of the membership register. A copy of the Fair Work Commission’s decision approving these rule changes is attached and marked “**AWU 3**”.

RSM FINDING 2.2

In order to facilitate consistent criteria for the reporting and collation of membership numbers, the AWU has undertaken the following steps.

The AWU has created and implemented the Membership Policy and also automated ‘work-flows’ in the AWU’s new membership database system. The Membership Policy imposes consistent and clear rules for all Branches to apply in relation to the treatment of resigning members, determining when a member is financial and un-financial and removing members from the register.

‘Work-flows’ in the AWU’s membership system automatically remove resigned members and members who been un-financial for more than two years from the register. Copies of screenshots from the AWU’s membership system which demonstrate the relevant ‘work-flows’ for resigned members are attached and marked “**AWU 4**” and “**AWU 5**”. The ‘work-flows’ for un-financial members are discussed below.

The Membership Policy also introduces additional steps to verify the accuracy of membership figures reported to National Office by Branches including:

- the provision of a signed statement by Branch Secretaries confirming their register has been maintained in accordance with the Membership Policy during the preceding calendar year when they submit their 31 December membership figure for filing in the AWU’s annual return; and
- written confirmation from the Branch Secretary that their auditor has confirmed in writing that the register has been maintained in accordance with the Membership Policy during the previous financial year when 30 June membership figures are determined as part of annual financial reporting.

RSM FINDING 2.3

In order to facilitate removal of un-financial members within the necessary 36 months, the AWU has taken the following steps.

As stated above, the Membership Policy provides clear rules about determining when a member is financial and un-financial and ‘work-flows’ have been built into the AWU’s membership system to automatically remove members from the register within 28 days of

them being un-financial for two years. The AWU is satisfied these measures will facilitate robust compliance with obligations under s 172 of the FW (RO) Act.

Copies of screenshots from the AWU's membership system which demonstrate the relevant 'work-flows' are attached and marked "**AWU 6**" and "**AWU 7**".

RSM FINDING 2.4

In order to facilitate maintenance of postal address, the AWU has taken the following steps.

Clauses 2 and 7 of the Membership Policy are specifically directed at ensuring postal addresses are included on the register for all members. Further, the AWU's membership system automatically sends an error message to staff members where a postal address is not recorded. A copy of a screenshot from the AWU's membership system which demonstrates the relevant 'work-flow' is attached and marked "**AWU 8**".

The membership system will also soon incorporate an address verification function which uses Australia Post's address data to confirm the address being entered is valid.

In annual correspondence to AWU members, the importance of updating details is highlighted and members are asked to urgently inform the AWU if any details need to be updated. Furthermore, members can also utilise a log-in system accessed through the AWU's website to update their details.

RSM FINDING 2.5

In order to facilitate maintenance of membership records, the AWU has taken the following steps. Clause 14 of the Membership Policy specifically requires retention of the Membership Register as at 31 December each year. Further, Branch Secretaries are required to make a written declaration that they have retained a copy of their 31 December register when they submit membership figures as part of the annual return process each year.

RSM FINDING 2.6

In order to ensure appropriate controls to prevent duplication of membership date, the AWU's membership database system now automatically detects duplicate entries. A copy of a screenshot from the AWU's membership system which shows the relevant 'work-flow' is attached and marked "**AWU 9**".

RSM FINDING 2.7

In order to ensure that new applicants for membership are not registered as members before receipt of first payment, clause 7 of the Membership Policy specifically requires that a person should not added to the membership register before receipt of first payment. Furthermore, significant effort has been devoted to discussing this issue at internal meetings and staff training.

RSM FINDING 2.8

In order to facilitate effective controls to ensure primary place of employment to determine appropriate Branch eligibility, clause 3 of the Membership Policy and the pro forma membership application (which is ATTACHMENT 1 to the Membership Policy) are specifically directed at this issue and ensure that a member's primary place of employment

is a mandatory data field for the membership database system. This allows Branches to verify that a member is correctly included within their register. The membership system will also soon incorporate an address verification function which uses Australia Post's address data to confirm the address being entered is valid.

In annual correspondence to AWU members, the importance of updating details is highlighted and members are asked to urgently inform the AWU if any details need to be updated. Members can also utilise a log-in system accessed through the AWU's website to update their details.

RSM FINDING 2.9

In order to facilitate refresher training for AWU membership training, the AWU notes the following matters.

Each Tuesday, a weekly meeting of AWU staff who manage the Branch membership registers is conducted. The meetings are chaired by a National Office staff member whose primary responsibility is the AWU's membership system. The purpose of the meeting is to support AWU membership staff in the administration and management of the membership registers and facilitate a national approach consistent with the functionality of the database and the Membership Policy. In addition, the AWU National Office staff member has travelled around Australia training staff in the operation of the system and regularly works with external service providers to develop and implement improved automated 'work-flows' for the system.

RSM FINDING 2.10

In order to facilitate validation checks on changes to personal details, the AWU's membership database system tracks any changes made to members' personal details and automated 'work-flows' and other features assist in allowing anomalies or potentially incorrect information to be identified and rectified.

In annual correspondence to AWU members, the importance of updating details is highlighted and members are asked to urgently inform the AWU if any details need to be updated. As set out above, members can also utilise a log-in system accessed through the AWU's website to update their details.

REVIEW OF HISTORICAL FIGURES

Finally, as per previous correspondence and statements made during the meeting on 26 July 2019, the AWU does not consider it can retrospectively apply the Membership Policy to arrive at definitive historical membership figures since 2009.

However, the AWU is confident its current membership system is compliant with all statutory requirements and that the union is well placed to ensure this compliance will continue into the future.

Yours sincerely,



Misha Zelinsky
ACTING NATIONAL SECRETARY



DECISION

Fair Work (Registered Organisations) Act 2009
s.159—Alteration of other rules of organisation

The Australian Workers' Union (R2018/171)

MURRAY FURLONG

MELBOURNE, 17 OCTOBER 2018

Alteration of other rules of organisation.

[1] On 29 June 2018 The Australian Workers' Union lodged with the Fair Work Commission a notice and declaration setting out particulars of alterations to its rules. Additional information regarding the Union's alterations was received 10 July 2018, 13 August 2018, 24 August 2018, and 30 August 2018. A supplementary declaration was also received 14 September 2018.

[2] The particulars set out alterations to Rules:

- 7 – Admission to Membership
- 9 – Rate of contributions
- 10 – Contributions – When and how payable
- 11 – Membership tickets
- 13 – Honorary life membership
- 15 – Ceasing to be a member and purging the Register of Members
- 17 – Duties of a member.

[3] The alterations to Rule 7 create provisions for membership applications to be received in person, electronically or over the phone, with payment of fees made via authorised payroll deductions, direct debits or any other arrangement.

[4] The alterations to Rule 9 make modifications in relation to Retired Members to comply with s171A of the *Fair Work (Registered Organisations) Act 2009* (the Act).

[5] The alterations to Rule 10 confirm that annual contributions become payable on 1 July each year and must be paid no later than 31 July. The alterations also make provisions for purging the membership register.

[6] The alteration to Rule 11 provides that membership tickets may be issued electronically.

[7] The alterations to Rule 13 make modifications in relation to Honorary Life Members to comply with s171A of the Act.

[8] The alterations to Rule 15 include deletion of 15(1)(b). At present, a person could cease to be a member after being unemployed for a continuous period of six months. This would no longer be the case.

[9] The alterations to Rule 15 also require the union to remove from the register, within 28 days, the name and postal address of a member who has been un-financial for a continuous period of 24 months.

[10] The alterations to Rule 17 allow the membership register to be kept up to date by requiring members to inform the Union within 14 days of a change to their name, postal address or primary place of employment.

[11] On 13 August 2018 Commission staff raised concerns about the wording of the alterations to 9(4), 10(6), 10(7) and 13(3).

[12] Sub-rules 9(4) and 13(3) pertain to Retired Members and Honorary Life Members. The alteration to 9(4) transacted by the Union on 14 June 2018 specified that retirees could not be included on the membership register and would not be eligible to vote in any election unless they resided in New South Wales, or were Officers of the Union. The alteration to 13(3) transacted on the same day specified that honorary life members who were not retirees, Union Officials, nor residents of New South Wales would not be eligible to vote at elections nor be included on the membership register. This was based on an interpretation of s 171A of the Act.

[13] Section 171A of the Act reads:

(1) If a person is a member of an organisation and the person is not, or is no longer:

(b) if the organisation is an association of employers – a person of a kind mentioned in paragraph 18B(3)(a), (b), (c) or (d) [...]

the person's membership of the organisation immediately ceases.

[14] Relevantly, s18B(3) states:

An association of employees is not *federally registrable* if it has a member who is not one of the following:

(a) an employee

(b) a person specified in subsection (4);

(c) an independent contractor who, if he or she were an employee performing work of the kind which he or she usually performs as an independent contractor, would be an employee eligible for membership of the association;

(d) an officer of the association.

Section 18B(4) provides:

The persons specified for the purpose of paragraph (3)(b) are persons (other than employees) who:

(a) are, or are able to become, members of an industrial organisation of employees within the meaning of the *Industrial Relations Act 1996* of New South Wales [...]

[15] Section 18B(4) makes similar provisions for Queensland, Western Australia and South Australia. However, the wording is different. In New South Wales, individuals who are or are able to become members of state registered organisations may be included on a federal membership register; Queensland, Western Australia and South Australia rely on the individuals being employees as defined under the relevant state industrial law.

[16] There is no provision for residents of New South Wales who are not employed in the relevant industry to maintain full financial membership rights as either Retired Members or Honorary Life Members purely on the basis of their residence. However, members of the New South Wales State registered union may maintain full membership rights in the Federal Union regardless of their employment status.

[17] Following discussions with staff of the Commission, the Union requested that the alterations to sub-rules 9(4) and 13(3) lodged on 29 June 2018 be treated as being superseded by subsequent alterations to those sub-rules which were transacted on 12 September 2018.

[18] Separately, the alterations to sub-rules 10(6) and 10(7) set out provisions pertaining to individuals who had payment arrangements in place for the paying of membership fees. Following consultation and further discussion with Commission staff, fresh alterations to sub-rules 10(6) and 10(7) were transacted on 12 September 2018. Those alterations were intended to supersede the relevant alterations lodged 29 June 2018 at the Union's request.

[19] On the information contained in the notices received 29 June 2018 and 13 September 2018, I am satisfied the alterations have been made under the rules of the organisation.

[20] On 30 August 2018, Daniel Walton, National Secretary, gave consent, under subsection 159(2) of the *Fair Work (Registered Organisations) Act 2009*, for the Delegate to make various amendments to the alterations for the purpose of correcting typographical, clerical or formal errors. Accordingly the following correction has been made:

- In proposed rule 15(1)(a) the content has been merged into the single rule 15(1) to cause the rule to read as a whole sentence.

[21] In my opinion, the alterations comply with and are not contrary to the *Fair Work (Registered Organisations) Act 2009*, the *Fair Work Act 2009*, modern awards and enterprise agreements, and are not otherwise contrary to law. I certify accordingly under subsection 159(1) of the *Fair Work (Registered Organisations) Act 2009*.

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Australian Government
Registered Organisations Commission

1 October 2019

Mr Daniel Walton
National Secretary
Australian Workers' Union

By email: [REDACTED]

c.c. Stephen Crawford, AWU National Legal Officer, [REDACTED]

c.c. Kamal Farouque, Maurice Blackburn Lawyers, [REDACTED]

Dear Mr Walton,

AWU membership records

I refer to the extensive previous correspondence in relation to this matter and to the meeting held in Sydney on 26 July 2019 between the Registered Organisations Commission (**ROC**) and the Australian Workers' Union (**AWU**) informally to discuss this matter.

The 26 July 2019 meeting

For the purposes of the meeting, the AWU provided certain additional material, on a without prejudice basis, to clarify the circumstances which have culminated in the AWU's stated position that it could not now correct the inaccurate membership numbers declared to the regulator (initially the FWC and now the ROC) by various reporting units of the AWU between the years 2009 and 2017. This means (at the least) that the AWU appears to have contravened a range of its statutory reporting obligations in each consecutive year between 2009 and 2017. The position which emerged from the meeting is that the AWU is now advising that remediation, or in other words accurate membership reporting, is not now possible.

The meeting was concluded, as we understood it, on the basis that the AWU would write to the ROC to provide information (in the nature of primary source documents) in relation to the steps it has taken to implement the recommendations in the RSM Membership Review Report and sought to correct the membership numbers previously reported to the ROC (and previously the FWC).

Response since 26 July 2019 meeting

While I acknowledge that since 26 July 2019, a lawyer acting for the AWU has had informal discussions with a lawyer who is acting for the ROC in unrelated ROC/AWU civil proceedings, in the almost **10 weeks** since the meeting no further information has been received from the AWU in relation to this issue. The meeting in Sydney followed the long and dilatory history of the AWU's engagement with the regulator on these issues which has been set out, in detail, in our letters of 31 July 2018 and 14 March 2019 although it is not necessary to recount all of those matters here.

AWU has same reporting obligations as every other registered organisation

It ought to be a matter of serious concern to the AWU that nearly three years have now passed since express concerns were raised about the accuracy of the AWU's membership figures without any substantive information being provided to the regulator that could assist to resolve the matter for the benefit of the AWU's members, other registered organisations and the community more broadly. There is no reason to suppose that the AWU should not be expected to comply with the same statutory obligations in the *Fair Work (Registered Organisations) Act* 2009 (the **RO Act**) which apply to every other federally registered organisation.

The AWU previously informed the ROC, in particular in correspondence dated 28 June 2018, 24 September 2018, 16 November 2018 and 27 February 2019, that:

- Branch Secretaries were directed to review membership figures provided to the ROC and its predecessors and to notify the National Secretary of the AWU by 30 September 2018 [i.e. more than a year ago] if corrections were required (albeit that this direction at the time only related to the period from 1 January 2011 onwards);
- Some Branches were unable to complete this process in the timeframe foreshadowed by the AWU and that these were now required to be completed by a later date (30 October 2018); and
- After the review process concluded, amended figures would be submitted to the ROC.

In those letters the AWU asserted that the updated figures would be able to be provided to the ROC soon after 30 September 2018, then by 30 October 2018, later by mid-December 2018 and finally "in the first half of 2019". Ultimately, the AWU now asserts that no updated figures to any level of certainty can or will be provided at all.

The ROC is concerned that the AWU has failed to demonstrate, in the nearly three years since these matters were first raised, its active and genuine intention to engage with the regulator transparently to remediate admitted inaccuracies and to communicate the steps that it has taken to remediate its register of members prior to 2018.

It is our assessment that we have exhausted the voluntary options available to the ROC and I now intend to give consideration as to the appropriate steps to be taken, having regard to our concerns about what appears to be serious, systemic and unremedied non compliance with reporting, record keeping and maintenance of the AWU's register of members.

If you wish to discuss this matter further, I can be contacted on (03) 96030711 or via email to [REDACTED]

Yours faithfully



Chris Enright
Executive Director
Registered Organisations Commission



Australian Government
Registered Organisations Commission

12 July 2019

Misha Zelinsky
Acting National Secretary
Australian Workers' Union
Level 1, 16-20 Good Street, Granville
GRANVILLE NSW 2142

By email: [REDACTED]

c.c. Stephen Crawford, AWU National Legal Officer, [REDACTED]

Dear Misha,

AWU membership records

I acknowledge your letter of 3 July 2019 as part of ongoing correspondence between the Registered Organisations Commission (**ROC**) and the Australian Workers' Union (**AWU**) concerning the AWU's membership records. While it has been convenient for both the ROC and the AWU to refer in correspondence to membership reporting prior to 2018 as being '*historical*', it is important to note that the relevant period under review has and continues to be between 2009 and as recent as 2017 inclusive.

We understand that the '*AWU is concerned about the ongoing expenditure of substantial amounts of its members' money and union resources on reviewing historical membership figures*'. We note that it is primarily those same members of the AWU, among other stakeholders, who are entitled to be provided with accurate information about the membership of their registered organisation.

We also note your advice that the AWU's concerns are '*exacerbated by the fact that it is becoming increasingly apparent that the change in membership system providers means it will not be possible to ever arrive at definitive historical figures*.' To put that statement into perspective;

- you will be aware that the Fair Work Commission (**FWC**) first expressed concerns about membership figures by letter sent on 15 November 2016; and
- while it was the AWU's decision to change its membership system provider, we understand that AWU officials continued to have access to and utilise the functions of its previous membership system up to the end of March 2018, being some 16 months after these matters were first raised.

For an abundance of clarity, we understand that in the context of extensive previous correspondence relating to membership reporting, your concession that '*it will not be possible to ever arrive at definitive historical figures*', is an admission by the AWU to contraventions of its statutory reporting and record keeping obligations in each of the calendar years 2009 – 2017 inclusive.

Consistent regulatory approach to all registered organisations

As you know, there are 106 federally registered organisations, including the AWU, each having statutory reporting and record keeping obligations, including under ss.230, 231, 233 & 265 and of the *Fair Work (Registered Organisations) Act 2009* (the **RO Act**). There are no provisions in the RO Act which exempt an organisation from meeting its reporting obligations, 'historic' or otherwise, or which provide the Commissioner power to relieve an organisation from compliance with those obligations.

The seriousness of these obligations is underpinned by the fact that the legislation provides at section 233(3) that, in a declaration about information lodged with the regulator, a person must not make a statement if the person knows or is reckless as to whether the statement is false or misleading. This requirement is a civil penalty provision.

It is implicit in your concession of 3 July 2019 that information was lodged with the regulator in circumstances where it cannot have been correct. The fact that this occurred historically in the period 2009 – 2017 inclusive, does not excuse the conduct.

As a fair and balanced regulator, a consideration for the ROC is why other registered organisations should be required to expend their resources on accurately meeting statutory reporting obligations if the same requirement does not equally apply, and is not seen to apply, to the AWU.

Offer of verification and other information

The AWU has, and continues more recently, to state that it is '*very confident its current system is fully compliant*.' You have indicated that this can be verified by the ROC if required. I can advise that the ROC proposes to accept that invitation and is also interested to fully understand why the AWU now states that '*it will not be possible to ever arrive at definitive historical figures*'. The ROC is interested in this latter assertion in part because the AWU continues to decline requests for access to the RSM Report or other probative information which would provide at least some level of transparency about, and explanation for, these ongoing membership reporting issues.

Proposed meeting

Your letter seeks an opportunity to meet with the ROC to discuss an appropriate resolution to this matter. The ROC continues to be entirely open to dialogue and transparent communication about this matter.

I will arrange for the ROC to engage with Debra Bushell as you have requested to make convenient arrangements for the parties to meet and continue engagement on this important issue.

In the meantime, should you like to discuss the matter I can be contacted in Melbourne on (03) 96030711 or via chris.enright@roc.gov.au.

Yours faithfully



Chris Enright
Executive Director
Delegate of the Commissioner

3 July 2019

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership records

We write in response to the letter from Patrick Coyle (then Acting Executive Director) of the Registered Organisations Commission (“**ROC**”) dated 14 March 2019. The letter was the latest in a range of correspondence between ROC and The Australian Workers’ Union (“**AWU**”) concerning the AWU’s historic membership records.

Previous correspondence from the AWU has confirmed that an external provider was engaged some time ago to review the AWU’s historical membership figures. The external provider is the same business that was contracted by the AWU to provide membership database services at the times relevant to ROC’s queries.

The external provider has provided the AWU with some figures which purport to reflect the membership figures that should have been reported by the AWU back to 2009. Unfortunately, the AWU does not consider that the figures are reliable. For example, the external provider has provided membership figures for some Branches that are significantly inconsistent with the AWU’s audited membership income for the relevant period. Many of the figures equate to each AWU member paying well above the full-time annual AWU contribution rate. That cannot be correct given the impact of unfinancial members (that haven’t yet met the purging requirement) and casual/part-time members.

Further, despite already paying a considerable amount of money to the external provider, the AWU has had ongoing problems in its attempts to clarify aspects of the figures and to have them corrected. The AWU has also been repeatedly requested to pay additional charges for work associated with the review. These problems largely arise because there is no ongoing contractual relationship between the parties – the AWU has ceased using the membership provider’s database system and the exit terms and arrangements were contentious.

As stated in previous correspondence, the AWU has implemented an array of changes in recent years to improve the accuracy of its membership reporting. As a result of these changes, the AWU is very confident its current system is fully compliant, and this can be verified by ROC if required.

Moreover, the AWU is very conscious of the ROC's focus on membership register compliance, including arising from the litigation presently before the Federal Court in *Registered Organisations Commissioner v The Australian Workers' Union and another* (VID583/2018). The AWU is intent on ensuring that its membership system and practices are wholly compliant with the legislative requirements.

In these circumstances, the AWU is concerned about the ongoing expenditure of substantial amounts of its members' money and union resources on reviewing historical membership figures. These concerns are exacerbated by the fact that it is becoming increasingly apparent that the change in membership system providers means it will not be possible to ever arrive at definitive historical figures.

On this basis, the AWU seeks an opportunity to meet with the ROC to discuss an appropriate resolution to this matter. The AWU is prepared to discuss ongoing compliance and monitoring steps and any other reasonable measures to deal with ROC's concerns regarding future AWU membership reporting.

We request that your office contact Debra Bushell (Personal Assistant to the National Secretary) on [REDACTED] or [REDACTED] to make convenient arrangements for the meeting.

Yours sincerely



Misha Zelinsky
ACTING NATIONAL SECRETARY



Australian Government

Registered Organisations Commission

14 March 2019

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

The Australian Workers' Union – membership records

I refer to the extensive previous communications between the Registered Organisations Commission (**ROC**), its predecessor the Fair Work Commission (**FWC**), and the Australian Workers' Union (**AWU**) about this matter including, most recently, your letter dated 27 February 2019.

In that correspondence, you foreshadowed that the 2019 Annual Return would be submitted based on apparent improvements to the AWU's membership systems arising from the implementation of the 'AWU Policy – Membership Register'.

However, your letter then further advises that:

The Annual Return process has inevitably shifted some resources away from the historical review process.

It is expected that the historical review process will conclude in the first half of 2019 and that any amended figures will then be submitted to ROC.

This information is disappointing, given the AWU's previous undertakings in relation to this process.

The ROC's letter dated 31 July 2018 (a copy of which is **attached** for ease of reference) set out the long history of this matter, up to that date. It is unnecessary to repeat that history here. However, it is relevant to note that:

1. The FWC first expressed to the AWU its concerns about membership figures by letter sent on 15 November 2016. The AWU subsequently acknowledged inaccuracies in its reporting of membership figures in writing in letters dated 25 November 2016 and again on 21 March 2017. This has implications for the transparency of information provided to members concerning the organisation. As members of each reporting unit are entitled to a copy of the financial report prepared in respect of each financial year (including the operating report declaring the number of members), the provision of inaccurate information in those reports clearly has the potential to mislead members as to the true state of affairs.
2. On 19 May 2017, the ROC recommended that the AWU commission an external audit of membership reporting in Annual Returns and Financial Reports between 2009 and 2015.

3. On 2 June 2017, the AWU lodged amended sections of the relevant Operating Reports for each of the financial years 2009 to 2015 purporting to correct the membership numbers in each year. This was done in the absence of the recommended external audit.
4. After further encouragement by the ROC, on 23 October 2017 the AWU advised the ROC that it had engaged an external consultant, RSM, to conduct a membership audit. The AWU indicated that the findings of the review would be presented to the AWU's National Executive on 6 December 2017 and that the outcome of the review and any motions passed by the National Executive in response to it would be provided to the ROC by 12 December 2017.
5. Provision of that information by those dates did not occur. Successive dates notified by the AWU for completion of the RSM Report came and went before the AWU confirmed to the ROC on 18 May 2018 that the RSM Report had been received. The AWU then declined to provide a copy of the RSM Report or its specific outcomes to the ROC, after earlier stating that it would do so. However the AWU conceded that concerns raised by the RSM Report had the potential to undermine the accuracy of membership numbers relied upon by the AWU and its branches. By this concession it has been taken that the amended figures provided by the AWU in respect of various Operating Reports on 2 June 2017 are not reliable and are likely incorrect.
6. Since that time, we understand that the AWU has been working with its branches to review and correct their historical reporting of membership numbers. The AWU's letter of 28 June 2018 stated that AWU Branch Secretaries had been directed to review membership figures as provided to the ROC and its predecessors, and notify the National Secretary if corrections were required by 30 September 2018 (albeit this request only related to the period from 1 January 2011, and not for the whole period back to 2009).
7. Again, this date was apparently optimistic and could not be achieved. On 24 September 2018, the AWU advised the ROC that *some* Branches [emphasis added] would be unable to complete membership reviews and provide advice to National Office by 30 September 2018. The AWU further advised that these reviews were now required to be completed by Branches by 30 October 2018.
8. On 16 November 2018 (following a 7 November 2018 request from the ROC for the membership figures identified by each Branch), the AWU advised that it was not yet satisfied as to the accuracy of membership figures and anticipated providing a further response in 'mid-December' 2018.
9. On 20 December 2018 (in response to a query from the ROC regarding the absence of the foreshadowed mid-December update), the AWU advised that the membership review process would not be completed by the end of 2018 but that the AWU would provide an update to the ROC by Friday 1 February 2019.
10. Finally, on 27 February 2019 (following further correspondence from the ROC on 8 February 2019), the AWU advised that the review process would conclude in the first half of 2019, after which amended figures would be submitted to the ROC. That is the letter to which this letter replies.

In the circumstances, it can be seen that successive dates notified by the AWU to the ROC for the completion of the review of the historical membership figures have passed. After in each case the ROC having to seek updates on this work after the time nominated by the AWU to provide further information, the AWU have provided estimates of increasing length and imprecision as to how much longer this work would take.



It remains a concern to the ROC that the AWU has apparently consistently reported inaccurate membership figures to its members since 2009, including in updated Operating Reports lodged on 2 June 2017. This of course has the continuing potential to mislead members of the AWU as to the true state of affairs. That is not intended to ignore welcome improvements in the AWU's policies and systems, which we understand cause the AWU to have increased confidence in the accuracy of figures provided (belatedly) in respect of its 2018 Annual Return and in its forthcoming 2019 Annual Return.

Nevertheless, the AWU has been aware of the potential for its historical membership figures to have been misreported for well over two years. These are not simply 'historical' matters. They are relevant to possible contraventions of sections 230 and 254 of the RO Act, both of which are civil penalty provisions.

Insufficient remedial action in relation to apparent breaches of the RO Act

Despite awareness of these matters for over two years, the AWU has not to date been able to provide corrected figures, with the latest estimate being that the AWU expects to provide amended figures in the first half of this year. The imprecise nature of this estimate, and the past history of this matter, does not instil confidence that this latest timeframe will be met.

As indicated in the ROC's letter dated 8 February 2019:

The ROC receives and relies in good faith upon undertakings from elected officials of registered organisations to perform its statutory functions.

Clearly, the assurances by AWU officials in relation to this matter, even if well meaning, have repeatedly not been met.

While you have identified that this is a big task, the failure to complete remedial action in relation to apparent contraventions of the RO Act for such an extended period is unsatisfactory. It raises obvious concerns about whether the AWU is progressing the matter with the appropriate level of urgency. This is particularly so in circumstances where the AWU has not been entirely transparent with the regulator as to the process that it is currently undertaking.

We continue to encourage and welcome voluntary compliance by the AWU. However, in the circumstances of this matter, we now request that the AWU provide the amended figures and requested information as soon as possible, and in any event no later than 30 June 2019. This is the most recent time frame notified by you for provision of this information. As you will appreciate, this will be more than two and a half years since these issues were first raised with the AWU.

As with previous correspondence in this matter, the ROC intends to publish this letter on the relevant AWU webpage of the ROC website.

If you have any queries regarding the above, please do not hesitate to contact me on (03) 9603 0894 or via email at patrick.coyle@roc.gov.au.

Yours sincerely,



Patrick Coyle
A/g Executive Director
Registered Organisations Commission

27 February 2019

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership records

Further to our letter dated 8 February 2019, we write to provide an update regarding The Australian Workers' Union's ("**AWU**") review of historical membership figures.

The AWU National Executive met in Sydney on 12 and 13 February 2019. The ongoing challenges with the finalisation of the external provider's review process amongst affected Branches were discussed along with the most recent correspondence exchanged between the AWU and the Registered Organisations Commission ("**ROC**") on this matter and the AWU's preparation of its 2019 Annual Return.

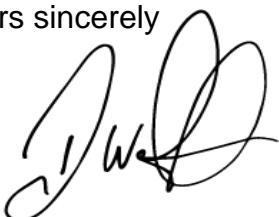
The AWU's 2019 Annual Return will be the first prepared following the implementation of the 'AWU Policy – Membership Register'. There have been extensive internal communications recently amongst AWU officials and staff regarding this process. These discussions have highlighted the improvements that have occurred regarding the AWU's membership systems and have provided further comfort that our membership register is currently in order and should remain so in the future. The Annual Return process has inevitably shifted some resources away from the historical review process.

It is expected that the historical review process will conclude in the first half of 2019 and that any amended historical figures will then be submitted to ROC.

The AWU remains willing to meet with ROC representatives to further discuss these matters if that will assist.

Please contact the undersigned if you wish to discuss these matters.

Yours sincerely



Daniel Walton
NATIONAL SECRETARY



8 February 2019

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

The Australian Workers' Union (AWU) membership records

I refer to the extensive previous communications about this matter between the Registered Organisations Commission (**ROC**), its predecessor and the AWU, including your letter dated 20 December 2018.

In that letter, you advised (adopting your paragraph numbering) that:

1. The AWU is reluctant to provide a definitive timeframe to ROC given the extensive involvement of an external party and the increasingly complex problems that have continually arisen with the process.
2. The process will not be finalised prior to the end of 2018. However, **the AWU undertakes to provide a further update to ROC by Friday, 1 February 2019.** [emphasis added]

To date, no such update appears to have been provided.

The ROC receives and relies in good faith upon undertakings from elected officials of registered organisations to perform its statutory functions. I note the following recent examples:

- (i) On 24 September 2018, your letter advised the ROC that some Branches would be unable to complete review (s) by 30 September (the date previously advised by the AWU in a letter dated 28 June 2018). The AWU advised that its Executive required reviews to be completed by 31 October 2018.

Consistent with that, it was anticipated by the ROC that further advice would be provided about the matter but by 7 November 2018 no further advice had been received, which required a formal request from ROC for an update.

- (ii) On 16 November 2018, your letter advised the ROC that the AWU was not yet satisfied as to the accuracy of membership figures and anticipated providing a further response in mid-December 2018.

When no response had been received by 20 December 2018, the ROC was required to again request advice about when a response would be received.

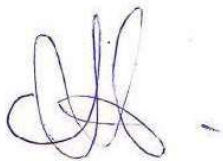
As I indicate above, your letter dated 20 December 2018 includes your undertaking to provide a further update to ROC by Friday, 1 February 2019. A week has passed since that date and the ROC has no record of receiving any response consistent with your undertaking.

We have made it clear that in the circumstance that this matter has been unresolved for more than two (2) years, we do not consider it can any longer be open ended.

It would assist the ROC's consideration of this matter for a response to be provided.

If you have any queries regarding the above, please do not hesitate to contact me on (03) 9603 0711 or via email at chris.enright@roc.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'CE', with a small dash to the right.

Chris Enright
Executive Director
Registered Organisations Commission

20 December 2018

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001
By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership records

BACKGROUND

1. We write in response to your latest letter dated 7 December 2018 regarding the Registered Organisations Commission's ("**ROC**") ongoing enquiries into the membership reporting of The Australian Workers' Union ("**AWU**").
2. We also write to provide ROC with an update regarding the AWU's review of historic membership figures.

RESPONSE TO 7 DECEMBER 2018 LETTER

3. The AWU disagrees with various statements in your letter dated 7 December 2018 and the content below is not exhaustive.
4. The AWU strongly disputes your suggestion that there has been "no substantive transparency to the problems" the AWU has encountered with its membership reporting.
5. The AWU has repeatedly confirmed to ROC that the external assessment provided by RSM Australia Pty Ltd ("**RSM**") indicated that AWU Branches were taking differing approaches to the maintenance of their respective parts of the AWU's membership register.
6. With the benefit of hindsight, that is unsurprising given significant ambiguities that existed within the registered rules of the AWU. For example:
 - (i) AWU Rule 10(2) did not clearly prescribe a due date for the payment of annual contributions. The due date was left to a determination of the relevant Branch Secretary. The due date for contributions is significant for assessing financial membership

and for determining when a member needs to be removed from the membership register pursuant to AWU Rule 15(3) and/or s 172 of the *Fair Work (Registered Organisations) Act 2009* (“**FW (RO) Act**”);

- (ii) AWU Rule 10(6) and (7) did not clearly prescribe when a member ceases being treated as a financial member if they had a valid direct debit or payroll deduction authority in place but the AWU has ceased receiving payments. This ambiguity creates problems in terms of assessing financial membership and for determining when a member needs to be removed from the membership register pursuant to AWU Rule 15(3) and/or s 172 of the FW (RO) Act; and
 - (iii) the application of the AWU Rules and the FW (RO) Act to retired members and honorary life members was not clear.
7. The ambiguities identified above make the process of retrospectively assessing the AWU’s membership records and determining what members should have been included at various points in time extremely difficult. The process is far more complex and difficult than the AWU initially understood and it will be far more challenging to arrive at certain figures than ROC appears to comprehend.
8. This is particularly the case given the AWU recently changed membership systems. That means the historical review includes a review of membership records generated in a system that the AWU is no longer using. That inevitably complicates the process.
9. Upon assessing RSM’s report, the AWU determined that it needed to urgently take steps to rectify inconsistent approaches amongst its Branches and to clarify the operation of the AWU’s rules.
10. The AWU devoted significant resources to this process and it resulted in:
- (i) the development of the “AWU Policy – Membership Register”;
 - (ii) various amendments to the AWU Rules; and
 - (iii) extensive internal work to standardise and automate the operation of the AWU’s membership database system.
11. It is this extensive work that has allowed the AWU to now be confident its membership register is being maintained consistently and accurately. The AWU completely rejects the unsubstantiated assertions to the contrary in your letter.
12. On a general level, the AWU considers ROC’s approach to this matter involves a retrospective “fine-tooth comb” approach that is not appropriate given the historical regulatory environment and the degree of ambiguity in the AWU’s registered rules.
13. ROC’s approach to this matter demonstrates no apparent consideration of this historical reality.

UPDATE ON REVIEW OF HISTORICAL MEMBERSHIP FIGURES

14. The membership system historically used by AWU Branches (and still currently being used by the South Australian Branch) was delivered and maintained by an external provider.

15. In response to the AWU National Executive's direction for Branches to review historical membership figures, four AWU Branches engaged this external provider to assess their historical membership records to determine whether any members should have been excluded or included as at 30 June and 31 December each year back to 2009.

16. The external provider's work on this project took longer than it initially predicted. Further, the external provider has still not been able to confidently provide reviewed figures to the AWU.

17. AWU Branches have identified inaccuracies with the external provider's data and are currently working with them to try and resolve these issues.

18. This process is proving time consuming and expensive for the AWU. Nevertheless, the AWU remains committed to the process and is attempting to complete it in the shortest possible timeframe.

19. The AWU is reluctant to provide a definitive timeframe to ROC given the extensive involvement of an external party and the increasingly complex problems that have continually arisen with the process.

20. The process will not be finalised prior to the end of 2018. However, the AWU undertakes to provide a further update to ROC by Friday, 1 February 2019.

21. The AWU remains willing to meet with ROC representatives to further discuss this matter if that is considered helpful.

Please contact the undersigned if you wish to discuss this matter.

Yours sincerely,



Daniel Walton

NATIONAL SECRETARY

7 December 2018

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

The Australian Workers' Union (AWU) membership records

Thank you for your letter of 23 November 2018.

I also refer to the extensive previous communications about this matter between the Registered Organisations Commission (ROC), its predecessor and the AWU.

To keep you informed about progress, I propose to address some of the matters contained in your most recent response letter dated 23 November 2018.

AWU approach

The ROC acknowledges the work (as generally described in paragraph 5. of your letter) that the AWU has undertaken to date to remedy the inaccuracies in its membership registers and processes. Similarly, we were pleased to provide comprehensive feedback to assist the AWU with the development of its new 'AWU Policy-Membership Register'.

We also note your confirmation that the AWU understands the importance of complying with its statutory obligations and its desire to carefully rectify inaccuracies in historical returns.

From an objective perspective, it appears that the ROC and the AWU are seeking to achieve the same outcome, which is for the membership records of the AWU (both current and historical) to be accurate. This outcome is clearly in the interests of members.

Commitment to an end date for rectifying historical membership figures

You will be aware that a number of recent Court decisions at first instance and on appeal have emphasised the importance of the record keeping of members and the seriousness of incorrect records, particularly over lengthy periods of time.

In this context, the ROC has shown considerable forbearance in not commencing an investigation while these membership issues have remained extant for over two years.

The inability or unpreparedness to date of the AWU to provide a commitment to a date for rectifying inaccuracies in historical membership figures since 2009 is concerning. These concerns are exacerbated by the AWU's refusal to table evidence that might otherwise have explained the problems that have arisen or ameliorated those concerns. That is, there has been no substantive transparency to the problems you have encountered, their scope, nor the processes you have undertaken or continue to undertake.

The AWU indicated that Branches were instructed to provide revised figures by 30 September 2018 (which the AWU later unilaterally extended). It appears likely that neither of those timeframes, nominated by the AWU, have been met as I understand the AWU anticipates providing, but has not committed to providing, some type of update by mid December 2018 'about consultation with an external provider and future steps'.

Given the duration of the process to date we do not consider that it can any longer be 'open ended'.

Your letter of 23 November 2018

Your letter makes a number of assertions, to which we wish to respond:

- i. The assertions contained in numbered paragraphs 3. and 11. of your letter regarding the ROC's approach are incorrect. The duration and history of this matter has been summarised to you in my correspondence of 31 July 2018.
- ii. Were it not for the ROC's focus on the interests of AWU members, it is, in my view, likely that the extensive erroneous membership reporting of the AWU identified more than two years ago would continue to the present time. The steps subsequently taken by the AWU towards remedial compliance, acknowledged and welcomed by the ROC, have been taken in large part as a result of the regulator's intervention and approach.
- iii. It is a matter of record that while the matter has been ongoing for more than two years, the ROC has not commenced a formal investigation. Instead, for over two years the regulatory approach concerning membership reporting by the AWU has been to inform, educate, advise, recommend, request, collaborate with and encourage the AWU to remedy its non-compliance.
- iv. The intended outcome of all of these alternatives to enforcement has been that the AWU would, within a reasonable period and in a timely way, voluntarily comply with its statutory obligations and remediate past inaccuracies, while providing transparency to its members and the regulator about the reasons behind the undermining of the accuracy of the AWU's membership reporting.
- v. Given the time that has elapsed, in more recent times the ROC has sought evidence of the AWU's progress in complying with its statutory obligations. In response, the AWU has repeatedly declined to produce existing expert reports into the issue that would provide clarity and transparency to the ROC and AWU members about the scope of the problem, the time needed to rectify it, and the AWU's efforts and progress in responding to it.
- vi. It is usual that evidence of the progress being achieved in voluntarily addressing issues should be provided to support requests for further forbearance by the regulator in formally investigating issues such as these. To date, the AWU has refused requests to provide to the ROC its independent reports into this matter.
- vii. If, contrary to the approach which has been taken, an investigation had been commenced in 2016 it is perhaps likely that members of the AWU would now have at least some understanding of the issues leading to inaccurate membership reporting.

2017 Annual Return Membership Figure

In your letter, you referred to a meeting that I attended in Sydney at which the ROC '*...accepted the timeframe nominated by the AWU for the filing of [the 2017 Annual Return Membership Figure]*'.

You will be aware, the ROC does not have authority to accept or condone contraventions of the law and it has never purported to do so. The fact that during a meeting on 31 May 2018 the ROC accepted the AWU's intention to remedially lodge membership records in June 2018, has no bearing on whether or not the AWU contravened its statutory obligations on 31 March 2018. The ROC did, however, take into account the AWU's proposed remedial steps in deciding not to take compliance action at that time.

Whether to commence an investigation

Your submissions as to whether an investigation should be commenced have been noted and will be carefully considered. We will also await the mid-December update, so that it too can be considered, in relation to the issue of whether an investigation should be commenced.

While the AWU submits it is confident that its membership register is maintained in a consistent way across its Branches, the ROC does not share that confidence because of a) the AWU's own concessions about inaccuracies, and b) the ROC has not been provided with sufficient information, or evidence for a proper understanding or assessment of the issues which have led to the undermining and/or inconsistency of membership reporting.


We again invite you to consider providing this evidence to the ROC and continuing with a more cooperative and more timely approach in this matter. This remains the first preference of the ROC.

Conclusion

As I have indicated above, careful consideration will, after mid-December, be given to the next required steps and I will advise the AWU in due course. If an investigation is commenced, the AWU will be notified about the scope of the investigation although, as is the ROC's routine practice and approach to procedural fairness, such correspondence will not be made public.

If you have any queries regarding the above please do not hesitate to contact me on (03) 9603 0711 or via email at chris.enright@roc.gov.au.

Yours sincerely,



Chris Enright
Executive Director
Registered Organisations Commission

23 November 2018

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership records

Background

1. We write in response to your letter dated 16 November 2018. This letter invited The Australian Workers' Union ("AWU") to provide submissions regarding whether the Registered Organisations Commission ("ROC") should commence an investigation into the AWU's membership reporting.
2. The AWU appreciates the opportunity to provide submissions on this matter and they appear below.

Extensive steps taken by the AWU in this matter

3. The AWU considers your letter dated 16 November 2018 presents the AWU's recent efforts in relation to its membership register in an unfair, incomplete and inaccurate manner.
4. The AWU's membership register has been a paramount recent concern and numerous significant steps have been taken to improve the AWU's internal processes.
5. Recent steps taken by the AWU include:
 - (i) the commissioning of an external review into the maintenance of its membership register by RSM Australia Pty Ltd ("RSM");
 - (ii) the development of a detailed policy titled 'AWU Policy - Membership Register' which has been specifically designed to promote consistent approaches to the maintenance of the AWU's membership register across Branches.

As you are aware, the AWU sought input from ROC in relation to this policy and then made an array of amendments to incorporate feedback from ROC. The development of this policy also involved proposing changes to the AWU's registered rules to resolve ambiguities in terms of issues that relate to the maintenance of the membership register - such as a member's financial status. Many significant issues identified and rectified by the AWU during this process had not previously been identified by ROC or its predecessors;

- (iii) the AWU National Executive ultimately approved the 'AWU Policy – Membership Register' on 14 June 2018 along with various rule changes. The National Executive also directed AWU Branches to assess their 31 December 2017 membership figure with reference to the terms of the policy so the AWU's annual return for 2018 could be completed. This occurred and the AWU provided its 31 December 2017 membership figure to ROC on 10 July 2018.
 - (iv) The Fair Work Commission approved AWU rule changes many of which are directed at rectifying ambiguities about matters relating to the maintenance of its membership register on 17 October 2018: *The Australian Workers' Union* [2018] FWCD 5834; and
 - (v) At the request of the ROC, AWU is currently completing a historical review of membership figures reported in financial returns and annual returns since 2009. This is a significant exercise. We are not convinced ROC understands the magnitude of this task. It is an exercise that the AWU wishes to conduct carefully in order to avoid generating any inaccuracies.
6. Indeed, we note your comments at Senate Estimates on 27 October 2017 when you described the AWU's dealings with the ROC on this issue as "a cooperative piece of work between the Australian Workers' Union and the Registered Organisations Commission to improve and enhance their compliance with reporting of membership."

2018 Annual Return Membership Figure

- 7. Your letter refers to alleged contraventions of the *Fair Work (Registered Organisations) Act 2009* arising from the AWU submitting its 31 December 2017 membership figure after the prescribed due date.
- 8. ROC is well aware of the reasons for the delay in the provision of the membership figure. The AWU was not convinced about the accuracy of its figure at the due date and needed additional time to undertake further reviews.
- 9. You and other ROC representatives met with me and other AWU representatives on 31 May 2018 in Sydney. During this meeting, you accepted the timeframe nominated by the AWU for the filing of its figure, being after its then upcoming National Executive meetings in June 2018, to be reasonable in the circumstances. It is disingenuous for you now to use this issue to threaten further proceedings against the AWU.

General approach of ROC

- 10. The AWU understands the importance of complying with its statutory requirements. At the request of the ROC, it has devoted considerable time and resources in recent times towards rectifying historical issues.
- 11. Unfortunately, it appears ROC is primarily focused on trying to identify how many contraventions it can establish against the AWU as a key performance indicator rather than trying to engage genuinely with the AWU to further compliance and the best interests of AWU members.

An investigation is not required

12. The AWU is confident its membership register is now being maintained in a consistent manner across its Branches.
13. The AWU is working diligently to reassess its historical membership figures but does not consider it appropriate to declare any amended figures until it is fully satisfied with the accuracy of the figures. This process is taking longer than was initially anticipated.
14. The AWU considers accuracy should take precedence over haste in this process and it is not apparent why ROC seemingly has a different view.
15. The AWU does not accept the interests of its members are best served by ROC commencing a formal investigation into this matter. A compliance message does not need to be sent to the AWU when its actions clearly demonstrate the message has already been received.
16. The AWU remains willing to meet with ROC representatives to further discuss this matter if that is considered helpful.

Please contact the undersigned if you wish to discuss this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Walton', with a stylized, cursive flourish at the end.

Daniel Walton
NATIONAL SECRETARY



Australian Government
Registered Organisations Commission

16 November 2018

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

The Australian Workers' Union (AWU) membership records

I refer to the above matter and to previous communications between the Registered Organisations Commission (ROC) and the AWU, most recently my letter of 7 November 2018 (which requested a response by Wednesday 14 November 2018) and a brief response letter from you today foreshadowing future consultation with an external provider associated with additional delay and further steps.

Recent request

In my letter of 7 November 2018, I noted the following:

'The AWU membership records issue has now been the subject of ongoing communications between the relevant regulator and the AWU for a period of two (2) years and the ROC is considering what further action is required'.

I sought your advice about the outcome of reviews which you had previously advised would be completed by 30 September 2018 and which you subsequently extended to 31 October 2018 as well as advice relating to declarations concerning any consequential membership number adjustments.

The ROC has continued to raise extensive and increasing levels of concern about the accuracy of AWU membership reporting, and the need for corrective action, over the entire 2 year period. This is important for reasons which have been set out in previous correspondence including, for example, the following comment you made in your letter dated 18 May 2018:

'This report has primarily identified that AWU Branches have been implementing differing procedural approaches to the maintenance of their respective membership registers. This obviously has the potential to undermine the accuracy of membership numbers relied upon by the AWU and its Branches' (underlining added)

Potential contraventions in 2018

The ROC has highlighted that as recently as 31 March 2018, potential contraventions of a range of statutory provisions appear to have occurred by the AWU failing to provide the number of members as at 31 December 2017 by 31 March 2018 (such as sections 230(1)(d), 233(1)(a) and 233(1)(b), and regulations 147(f) and 149).

I have previously summarised the progress of our communications on this matter in a letter to you dated 31 July 2018, including by referring to our inability properly to understand the circumstances leading to your assessment that the accuracy of AWU membership numbers has been potentially

undermined. We have made it clear that the AWU's disinclination to provide the relevant RSM Report has made our assessment more difficult and that in the event the ROC was to commence an investigation under s 331 of the *Fair Work (Registered Organisations) Act 2009* (the **RO Act**), it would likely be open to the Commissioner to issue a Notice to Produce under section 335(2)(b) to require production of the report.

Your advice today that '*the AWU is not yet satisfied about the accuracy of its reviewed membership figures...*' continues to escalate our concerns about the integrity of AWU membership records.

After a period now in excess of 2 years, it is clearly a matter of significant concern that neither the ROC (nor members of the AWU) appear any closer to developing an understanding about the circumstances leading to the potential undermining of the accuracy of AWU membership numbers or declarations concerning membership number adjustments.

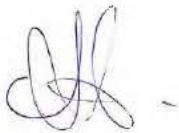
Next steps by the ROC

Your letter today suggests that you '*anticipate*' being able to provide a further response by mid-December 2018, although I note that this does not amount to a commitment to provide the updated membership figures by that time. In the meantime, it is unsatisfactory that the nature of the concerns regarding the integrity of the AWU's membership reporting (either historically, or as that might affect membership reporting into the future) remains wholly unresolved.

Before the ROC considers what action it is now appropriate to take in the circumstances, I invite the AWU to make any submissions it wishes which might assist the ROC to determine whether to commence an investigation into matters related to membership reporting. Those submissions are invited by **Friday 23 November 2018**.

If you have any queries regarding the above please do not hesitate to contact me on (03) 9603 0711 or via email at chris.enright@roc.gov.au.

Yours sincerely,



Chris Enright
Executive Director
Registered Organisations Commission

16 November 2018

Mr Bill Steenson
Principal Lawyer
Compliance & Investigations
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: bill.steenson@roc.gov.au

Dear Mr Steenson

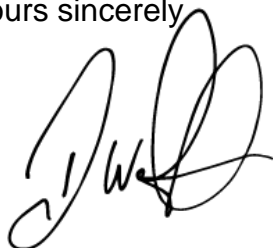
Re: AWU membership figures – AR2016/161

Thank you for your email.

The AWU is not yet satisfied about the accuracy of its reviewed membership figures and is not in a position to declare any amended figures to ROC. The AWU needs to consult further with an external provider in relation to this matter and then assess what further steps are required.

We anticipate that we will be able to provide further response by mid-December 2018.

Yours sincerely



Daniel Walton
NATIONAL SECRETARY

cc: Chris Enright @ regorgs@roc.gov.au



Australian Government
Registered Organisations Commission

7 November 2018

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 1, 16-20 Good Street
GRANVILLE NSW 2142

By email: members@nat.awu.net.au

Dear Mr Walton,

The Australian Workers' Union (AWU) – membership records – AR2016/161

I refer to the above matter and to previous communications between the Registered Organisations Commission (**ROC**) and the AWU, most recently your letter dated 24 September 2018.

In that letter you advised that the AWU National Executive passed a resolution on 14 June 2018 directing all AWU Branches to review membership figures previously filed with the ROC and its predecessors in financial reports and annual returns. While it was not clear to the ROC why the National Executive directed the review to only extend back to 1 January 2011, your letter indicates that a more recent resolution extended the review back to 2009.

Your letter further advised that the reviews of membership records by Branches of the AWU, which you had previously advised would be completed and reported to the AWU National Office by 30 September 2018, would instead be completed by 31 October 2018.

The AWU membership records issue has now been the subject of ongoing communications between the relevant regulator and the AWU for a period of two (2) years and the ROC is considering what further action is required. We seek your advice on the outcome of the reviews, including:

- a) The membership figure identified by each Branch as at 30 June and 31 December of each year from 2009 onwards; and
- b) In those cases where an adjustment is required to be made to previously declared membership figures, submitted to the regulator under the reporting obligations in the *Fair Work (Registered Organisations) Act 2009 (RO Act)*, a declaration lodged with the ROC to that effect.

Your response addressing these matters is sought by **Wednesday 14 November 2018**.

Yours sincerely

Chris Enright
Executive Director
Registered Organisations Commission

24 September 2018

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership figures – AR2016/161

We write in relation to the ongoing communications between the Registered Organisations Commission (“**ROC**”) and The Australian Workers’ Union (“**AWU**”) about historical AWU membership figures.

As you are aware, on 14 June 2018 the AWU National Executive passed a resolution directing all AWU Branches to review membership figures previously filed with ROC and its predecessors in financial reports and annual returns since 1 January 2011 with reference to the terms of the ‘AWU Policy – Membership Register’ to the fullest possible extent. Branches were directed to complete the review by 30 September 2018.

In correspondence dated 31 July 2018, ROC indicated it considered the review should extend back to 2009.

We write to advise that on 12 September 2018 the AWU National Executive passed a resolution directing all AWU Branches to extend their reviews back to 2009.

However, it has become apparent that some Branches will not be able to meet the 30 September 2018 deadline. For that reason, the National Executive also resolved that the review must now be completed by 31 October 2018.

Please contact the undersigned if you wish to discuss this matter.

Yours sincerely



Daniel Walton
NATIONAL SECRETARY

31 July 2018

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@awu.net.au

Dear Mr Walton,

The Australian Workers' Union (AWU) membership records

Purpose

In the context of ongoing concerns about the integrity of AWU membership reporting and potential contraventions of civil penalty provisions in ss 230, 231 and 233 of the *Fair Work (Registered Organisations) Act 2009* (the **RO Act**) as recently as March 2018, the purpose of this correspondence is to:

- a. Summarise the chronological progress of the matter; and
- b. Articulate the current status of the matter as understood by the Registered Organisations Commission (**ROC**).

Summary of membership records issue

I refer to a range of previous correspondence in relation to regulatory concerns about the validity of membership reporting and the lodging of an additional declaration for the AWU's 2018 Annual Return of Information (**Annual Return**) in respect of 31 December 2017 membership figures.

The lodging of that additional declaration on 10 July 2018, acknowledged by ROC correspondence dated 11 July 2018, was some three and a half months outside the statutory period required under section 233(1) of the RO Act and regulation 149 of the *Fair Work (Registered Organisations) Regulations 2009* (**RO Regulations**).

In earlier correspondence dated 28 June 2018, you referred to '*ongoing communications between the ROC and the AWU concerning the AWU's membership figures*.' Given that relevant communication has been ongoing since 15 November 2016 and that the integrity of membership reporting continues to remain at issue, I have reviewed the matter and I now consider it timely to set out a chronological summary of the matter to date. I note that this summary is not intended to refer to all of the extensive correspondence sent or received relevant to the membership records.

Commencement of inquiries in 2016

You will be aware that as at 15 November 2016, regulatory functions relevant to federally registered organisations were assigned by the RO Act to the General Manager of the Fair Work Commission (**FWC**) who delegated the majority of those functions to me in my then role as the FWC's Director of the Regulatory Compliance Branch (**RCB**).

First correspondence on 15 November 2016

While performing the delegated regulatory functions relevant to registered organisations, on 15 November 2016 I wrote to the then National Secretary of the AWU, Mr Scott McDine advising that in 2015, the RCB had commenced research into a range of matters associated with the requirements in the RO Act that registered organisations maintain a register of members and report on membership to the FWC (as the then regulator). As part of that research, the FWC had requested that the AWU complete a survey / questionnaire to assist the regulator to better understand how its membership registers were populated, maintained and purged and the circumstances in which a person was recorded as a member of the AWU.

I noted in my correspondence that the AWU had declined the FWC's survey / questionnaire request and that consequently the regulator's understanding of the AWU's situation was more limited than its understanding of the many other federally registered organisations who had participated in the survey.

Further, I advised that the RCB had commenced a review of historical membership data of a number of federally registered organisations, including a preliminary review of AWU membership data from Annual Returns and Financial Reports for the years 2009 to 2015. It was this preliminary review which raised concerns about the integrity of AWU membership reporting leading to the commencement of the communications with the AWU which remain ongoing. It was essentially the reporting of membership numbers in Financial Reports which replicated the previous year's Annual Return membership numbers which had raised concerns because it was entirely unlikely that the reported data could have been accurate.

My letter dated 15 November 2016 pointed out the AWU's statutory obligation under s 233 of the RO Act to lodge a declaration that the register of its members had, during the reporting period, been kept and maintained as required and that s 233 was a civil penalty provision.

Acknowledgement of historical errors

On 25 November 2016 in your role as the then Acting National Secretary of the AWU, you acknowledged that membership numbers which had been included in the AWU's Financial Reports over a number of years had erroneously reflected the membership numbers reported in the Annual Returns up to and including the 2014 Financial Report. You advised that the AWU revised its reporting of membership numbers for the 2015 Financial Report and the number provided for that report reflected a compilation of branch membership numbers as at June 2015.

In essence, your letter of 25 November 2016 acknowledged errors in historic membership reporting in the period June 2009 to 2014 although you advised that having had the benefit of a detailed FWC review of its 2015 Financial Report, the AWU *'further improved its financial reporting for 2015'* and that *'These improvements are also incorporated in the 2016 Financial Report'*.

In your correspondence you indicated that you hoped that regulatory concerns about the integrity of membership data had been resolved by acknowledging erroneous historical membership reporting and describing improvements to the AWU's financial reporting in 2015 and 2016 (each containing AWU membership numbers).

On 20 December 2016, I provided you with some preliminary observations about AWU membership reporting while noting that a more detailed response would be provided at a later date. I advised that the regulator's concerns about what you had conceded to be inaccurate historical membership reporting were not resolved merely by an acknowledgement of error and that instances of incorrect membership data giving rise to potential contraventions of the RO Act, at the least from 2009 to 2014, were required to be remedied.

In summary and notwithstanding your expressed hope that the integrity of AWU membership data had been resolved, my correspondence made the following clear:

'The Commission does not currently have a sufficient level of confidence in the statutory membership reporting of the AWU'.

I requested that the AWU conduct an internal audit of its membership for financial and calendar year periods covering 2009 to 2014.

Correspondence in 2017

On 6 March 2017 I wrote to you to ascertain what steps had been taken by the AWU to remedy its inaccurate membership deficiencies for the period 2009 to 2014 and what the outcomes of those steps had been. I requested specific information about whether the membership reporting deficiencies had been remedied and whether the AWU proposed to conduct an audit.

On 21 March 2017 you wrote to the FWC attaching a document prepared by the AWU's National Office Financial Controller in relation to his review of the membership numbers reported by the AWU for 2009 to 2015. The document outlined the basis for the resolution by the AWU National Executive on 2 March 2017 to conduct an internal review, the methodology used and the documents examined, including a recommendation on the action to be taken to remedy any differences between membership reporting as between the Annual Returns and Financial Reports.

I note here that the ROC commenced its operations on 1 May 2017 and assumed the relevant regulatory role with respect to federally registered organisations. Having commenced these inquiries while at the FWC, I continued to be responsible as the newly appointed Executive Director of the ROC.

On 19 May 2017, I wrote to you confirming that relevant amended operating reports pursuant to ss 254(2)(f) of the RO Act and regulation 159 of the RO Regulations were required to be lodged.

In my letter, I provided a summary of the matter to that time and extensive information and data reflected in a series of graphs about the AWU's historical membership dating back to 2003. I made a number of observations which raised further concerns about the integrity of historical membership data lodged by the AWU.

More specifically, I recommended that having regard to the ongoing and historical data integrity issues, the AWU commission an external audit of membership reporting in Annual Returns and Financial Reports between 2009 and 2015 which would take into account and seek to explain the various issues referred to in my letter.

On 2 June 2017 the AWU lodged amended sections of the relevant Operating Reports for each of the financial years 2009 to 2015 correcting the membership numbers in each year.

In your letter, you hoped the matter had thereby been resolved by including the following:

'We trust that this finalises the matter. If necessary we would be pleased to discuss this matter with your further'.

On 3 July 2017, you wrote to the ROC referring to my letter of 19 May 2017 in which I had recommended an external audit of membership reporting in Annual Returns and Financial Reports for the years 2009 to 2015. While the AWU resisted commissioning the membership data audit I had recommended, you advised that the AWU had instead decided to commission a project entitled the 'AWU Modern Membership Project' (**the Project**) to be conducted by an external consultant. You referred to the terms of the Project and advised that its purpose would be to report on improvements the AWU could make to systems, process, rules and reporting methodology in order to facilitate a high level of compliance with the AWU's membership reporting obligations.

You anticipated that the Project would result in changes and optimisation of AWU practices, systems, reporting and possibly also rules. You advised that the AWU intended to notify and consult with the ROC and the FWC about relevant changes prior to implementation as part of the AWU's desire to maintain a constructive engagement within the regulatory framework.

Finally, you anticipated that the Project would take a number of months to complete and that you would communicate further with the ROC.

On 3 August 2017, with the ROC noting that the AWU had resisted the recommendation to commission an external audit of membership reporting for the period 2009 to 2015, a meeting

was held involving you, the AWU's legal adviser from Maurice Blackburn Lawyers Mr Kamal Farouque, myself and ROC Senior Adviser Andrew Schultz to discuss the matter.

On 17 October 2017 I wrote to you requesting an update about the status of the matter in which I highlighted that your letter of 3 July 2017 did not indicate whether the AWU would commission an external audit of its membership records.

On 23 October 2017 you wrote to the ROC advising that the AWU had engaged RSM Australia Pty Ltd (**RSM**) to conduct what you described in your letter as '*the independent external review of the AWU's membership records and reporting and provided the terms of reference*'. It was apparent that a new term of reference had been added to the terms previously provided in Appendix A of your 3 July 2017 letter. The new term (which was underlined) was 'Identify case studies arising from correspondence from the Fair Work Commission and the Registered Organisations Commission which are indicative of how processes and practices can be improved'.

In your correspondence you attached the RSM proposal to the AWU dated 12 October 2017 which had been endorsed by you on 23 October 2017.

You indicated that the findings of the review would be presented to the AWU's National Executive on 6 December 2017 and that the outcome of the review and any motions passed by the National Executive relevant to the matters subject of the terms of reference and the findings of the review would be provided to the ROC by 12 December 2017.

On 21 December 2017 I wrote to you referring to your advice of 23 October 2017, noting that the ROC had not received any further advice from the AWU. On 22 December 2017 the Acting National Secretary, Misha Zelinsky, advised that the matter had been delayed and was expected to progress early in 2018.

Correspondence in 2018 and potential further contraventions of ss 230, 231 and 233 of RO Act

On 19 January 2018, the AWU advised the ROC by letter that the Project had been delayed and that it was anticipated a Final Report was due by 21 March 2018

On 1 February 2018, as part of a routine and courtesy reminder regime for all registered organisations, the ROC provided the AWU with a courtesy reminder letter reminding it of the obligation to lodge an Annual Return with the ROC by 31 March 2018, including a statement concerning the number of members as at 31 December 2017.

On 5 March 2018, again as part of a routine and courtesy follow up regime, the ROC provided the AWU with a further courtesy reminder letter referring to the previous ROC letter dated 1 February 2018, which included a requirement for a statement concerning the number of members as at 31 December 2017.

On 28 March 2018, you provided the AWU's Annual Return to the ROC which you stated was lodged pursuant to the RO Act and RO Regulations. However, in potential contravention of a number of statutory requirements (such as ss 230(1)(d), 233(1)(a) and 233(1)(b) of the RO Act and regulations 147(f) and 149 of the RO Regulations), the AWU did not provide the number of members as at 31 December 2017. Instead, your Annual Return included the following statement:

'A register of members has, during the immediately preceding calendar year, been kept and maintained by The Australian Workers' Union ("AWU"). However, a recent external review process, which has not yet concluded, has identified some inconsistencies amongst practices adopted by AWU Branches in terms of their register of members. I intend to urgently submit an additional declaration once I am satisfied these issues have been resolved. The Registered Organisations Commission ("ROC") is aware of this external review'.

A particular aspect of concern in relation to the AWU's Annual Return was that although the integrity of AWU membership data had been specifically raised as a regulatory concern as early as 13 November 2016, almost one and a half years later the AWU appears to have failed to meet

its statutory obligation to provide membership numbers in its Annual Return because of what was described as inconsistent practices by AWU branches in terms of the register of members.

On 4 April 2018, you wrote to the ROC advising that the RSM's review was close to completion and that the AWU would inform the ROC about decisions made by the National Executive in response to the report provided by RSM (**RSM Report**). You indicated that your preference would be to thereafter meet with ROC representatives to discuss the AWU's response to the report.

AWU declines to provide the ROC with the RSM Report

On 9 May 2018 I wrote to you advising that the ROC would be pleased to meet with the AWU. Having regard to the fact that in its 23 October 2017 letter to the ROC, the AWU foreshadowed providing the outcome of the review to the ROC, I indicated in my 9 May 2018 letter that to ensure a meeting would be meaningful, it would assist if a copy of the RSM Report and its recommendations were to be provided beforehand.

On 18 May 2018, you wrote to the ROC advising that the RSM Report had been provided to the AWU although you declined to provide either a copy of the report or its specific outcomes to the ROC.

You indicated the following in your 18 May 2018 letter:

'This report has primarily identified that AWU Branches have been implementing differing procedural approaches to the maintenance of their respective membership registers. This obviously has the potential to undermine the accuracy of membership numbers relied upon by the AWU and its Branches'. (underlining added)

You further advised that the AWU had agreed that prompt action needed to be taken and that a draft document titled 'AWU Policy – Membership Register', (**Draft Policy**) had been compiled with the intention that it be approved by the National Executive. In preparation, you sought the views of the ROC about the policy and whether any improvements could be made. You also indicated that the AWU would welcome an opportunity to meet with ROC representatives following a review of the Draft Policy.

On 21 May 2018 I wrote to you referring to previous correspondence and noting that the AWU remained in potential contravention of a number of statutory provisions (such as ss 230 and 233 and regulations 147(f) and 149) by failing to provide the number of members as at 31 December 2017.

I expressed concern about the implication of the advice in the AWU's 18 May 2018 letter upon the accuracy of amended Operating Reports which had already been lodged with the ROC.

I advised that I would make myself available to meet with the AWU about the Draft Policy although I made it clear that the ROC had little or no information about the particular findings that gave rise to the proposed amendments included in the document. For that reason, I again highlighted that it would add significant value to the contribution the ROC could make if the AWU were to provide the ROC with a copy of the RSM Report.

While a face to face meeting was arranged for 31 May 2018, once again the AWU declined to provide the ROC with a copy of the RSM Report or its specific findings or outcomes.

On 31 May 2018 ROC Principal Lawyer Bill Steenson and I met with you, your legal representative from Maurice Blackburn Lawyers Mr Kamal Farouque, and Senior AWU Legal Officer Stephen Crawford at the ROC office in Sydney. We again made it clear that although we would be able to provide detailed feedback about how to improve the Draft Policy, it continued to be difficult because a copy of the RSM Report had not been provided.

Verbal feedback was provided during the meeting and the ROC undertook to provide detailed written feedback about the Draft Policy as soon as possible.

During the meeting, the AWU offered to lodge its membership number as at 31 December 2017 albeit that it could not attest to the accuracy of that membership number. Alternatively, in the circumstances of the statutory reporting obligation having already expired on 31 March 2018, a

validated membership number would be lodged following the 13 June 2018 AWU National Executive meeting.

The AWU continued to decline to provide a copy of the RSM Report or its specific findings or outcomes.

On 4 June 2018, I wrote to you providing extensive ROC feedback about how the Draft Policy could be improved.

Current status

On 28 June 2018, you wrote to the ROC about the detailed feedback the ROC had provided in relation to the Draft Policy and advised that much of the feedback had been adopted. Further, you attached fifteen (15) resolutions passed by the AWU National Executive on 14 June 2018 concerning the policy steps to be taken by the AWU in relation to AWU membership and provided the approved version of the Policy.

You further advised that AWU Branch Secretaries had been directed to review membership figures provided to the ROC and its predecessors from **1 January 2011** and to notify the National Secretary if corrections were required by 30 September 2018.

In the circumstances that the majority of correspondence to date has referred to the period 2009 to 2015, it is unclear why the AWU is now advising of instructions to Branch Secretaries to review membership figures since 1 January 2011 only.

Notwithstanding the extensive communication between the ROC and the AWU in this ongoing matter, including discretionary feedback about the AWU's Policy and the numerous requests made by the ROC to view the RSM Report, the reason(s) that the AWU continues to decline to provide the ROC with the RSM Report or its specific findings remains unclear.

Amended Declaration lodged on 10 July 2018

On 10 July 2018, you lodged an additional declaration regarding the AWU Annual Return for 2018 indicating that the AWU's total membership figure for 31 December 2017 was 69,786. I have indicated above that potential contraventions of a range of statutory provisions occurred on and from 31 March 2018 by the AWU failing to provide the number of members as at 31 December 2017 by 31 March 2018 (such as ss 230(1)(d), 233(1)(a) and 233(1)(b) and regulations 147(f) and 149).

Table 1: AWU membership from Annual Returns and Financial Reports

AWU	2016	2017	Difference
AR	87,206	69,786	- 17,420 (19.64%)
FR	87,412	84,984	- 2,428 (2.78%)

The table above reflects that the membership number of 69,786 as at 31 December 2017 represents a 19.64% reduction from the membership number reported by the AWU as at 31 December 2016. The table also reflects that the financial membership number of 84,984 as at 30 June 2017 represents a 2.78% reduction from the financial membership number as at 30 June 2016.

The difficulty that emerges however, is that it is by no means clear whether the significant 19.64% reduction in Annual Return membership figures between 2016 and 2017 has occurred because of actual membership reduction or because of flaws in the integrity of membership reporting. The fact that there is only a 2.78% decrease in financial members between the 2016 and 2017 financial years potentially indicates that inaccurate data integrity may be a cause of the decrease. The AWU has not, however, provided an explanation for the change.

Conclusion

The purpose of this letter is to summarise the extensive exchange of correspondence and meetings held between the AWU and the relevant regulator (FWC / ROC) since 15 November 2016 in relation to the regulator's concerns about the validity of membership reporting, the lodging of an additional declaration regarding 31 December 2017 membership figures in the AWU's 2018 Annual Return and a range of potential contraventions of the RO Act.

It has been clearly articulated throughout the range of correspondence referred to above that validation of AWU membership data for the years 2009 to 2015 has been the minimum expectation. Having regard to your recent advice about the RSM Report identifying differing procedural approaches that had the potential to undermine the accuracy of the entire membership numbers reported by the AWU, validation of membership data from 2009 to 2017 reporting years seems entirely appropriate.

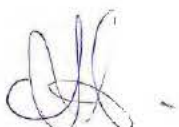
I note that you have required Branch Secretaries to report to you by 30 September 2018 about their review of membership data and in particular, whether further corrections are required.

The facts and circumstances surrounding the inconsistent membership reporting by AWU Branches continue to remain unclear to the ROC and while I repeat my advice that this matter is not currently the subject of an inquiry or investigation under s 330 or s 331 of the RO Act, I take the opportunity once again to request a copy of the RSM Report and its specific findings and recommendations. The provision of the report would assist the ROC to determine what further action may be required regarding the matter. You will be aware that in the event that the ROC decides to commence an investigation under s 331 of the RO Act, it would be open to the Commissioner to issue a Notice to Produce under s 335(2)(b) to require production of the RSM Report.

In the meantime, I look forward to receiving further advice concerning the reviews by Branch Secretaries.

If you have any queries regarding the above please do not hesitate to contact me on (03) 9603 0711 or via email to chris.enright@roc.gov.au.

Yours sincerely,



Chris Enright
Executive Director
Registered Organisations Commission



21 May 2018

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 - 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

AWU Membership figures – AR2016/161

I refer to previous correspondence regarding the membership figures of the AWU lodged in purported accordance with its statutory obligations under the *Fair Work (Registered Organisations) Act 2009 (Cth) (RO Act)*, most recently my letter dated 9 May 2018 and your letter dated 18 May 2018.

Membership audit

I welcome your advice that the membership audit by RSM Australia Pty Ltd (**RSM**) has been completed and I note from your letter that the RSM report identified that AWU Branches had different approaches to the maintenance of membership registers.

While I have not of course seen the report, it raises the question about the extent to which the different approaches you refer to may have had the effect that membership numbers submitted to the regulator (previously FWC and now the ROC) as part of the Annual Return (AR) and Financial Reporting (FR) processes may have been inaccurate.

I am aware that amended operating reports have been lodged by some AWU Branches where a discrepancy had been identified in membership numbers previously declared. Noting that the RSM report was completed after the amended operating reports were lodged, it is not clear what the different approaches to membership registers had, or may have had, on those amended operating reports.

AWU 2008 Annual Return

I note that the obligation in sections 230(1)(d) and 233(1)(b) of the RO Act and Regulation 147(f) of the *Fair Work (Registered Organisations) Regulations 2009* to lodge with the ROC 'a record of the number of members on 31 December in the previous year'

I also note that your declaration in the AWU's 2018 Annual Return, in relation to reporting of membership numbers, includes the following observation:

A register of members has, during the immediately preceding calendar year, been kept and maintained ... However, a recent external review process ... has identified some inconsistencies among practices adopted by AWU Branches in terms of their register of members. I intend to urgently submit an additional declaration once I am satisfied these issues have been resolved.

It is this statement that causes me the concern I have expressed above about the implications on the accuracy of amended operating reports already lodged with the ROC.

Your letter dated 18 May 2018 also enclosed a draft 'AWU Policy – Membership Register'. While I very much welcome the AWU's engagement with the ROC in relation to the draft Policy, the ROC currently has little or no information about the particular findings that gave rise to the proposed amendments.

As I have previously indicated, it would therefore add significant value to the contribution the ROC can make if the AWU were to provide the ROC with a copy of the RSM report.

I will be in Sydney in the morning and early afternoon of **Thursday 24 May 2018** and both Mr Bill Steenson and I would be pleased to make ourselves available to meet with you and any relevant AWU representatives in relation to this matter if that is convenient.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'CE', with a small horizontal line to the right.

Chris Enright
Executive Director

18 May 2018

Chris Enright
Executive Director
Delegate of the Commissioner
Australian Government - Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001
By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: AWU membership figures – AR2016/161

We write in response to your letter dated 9 May 2018 regarding membership records of The Australian Workers' Union ("**AWU**").

We confirm RSM Australia Pty Ltd ("**RSM**") has now provided their final report to the AWU. This report has primarily identified that AWU Branches have been implementing differing procedural approaches to the maintenance of their respective membership registers. This obviously has the potential to undermine the accuracy of membership numbers relied upon by the AWU and its Branches.

In response to the RSM report, the leadership of the AWU has agreed that prompt action needs to be taken to ensure Branches apply a consistent approach to the maintenance of their membership registers. To that end, the AWU has developed a draft document titled 'AWU Policy – Membership Register'. The intent is for the final version of this policy to be approved by the AWU National Executive and then strictly implemented. Following approval of the final policy by the National Executive, 'work flows' will be developed and implemented for the AWU's electronic membership register so the system can automatically apply many aspects of the policy. The policy includes reference to Branch Secretaries declaring that their Branch has complied with the policy ahead of the submission of each annual return and financial report by the AWU and/or its Branches.

Given the membership policy deals with relatively complicated matters that are regulated by a range of legislative provisions and various parts of the AWU rules, the AWU wishes to seek the views of the Registered Organisation Commission ("**ROC**") regarding the terms of the policy and particularly whether any improvements could be made. To that end, please find attached a copy of the draft policy for ROC's consideration.

We would welcome an opportunity to meet with ROC representatives once there has been sufficient time to review the terms of the policy. Please contact the undersigned if this meeting can be facilitated and we will ensure the attendance of appropriate AWU representatives.

Please also contact the undersigned if you wish to discuss this matter.

Yours sincerely,



Daniel Walton
NATIONAL SECRETARY

(attachment)

4 April 2018

Mr Chris Enright
Executive Director
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Mr Enright,

Re: Review of AWU membership numbers

We write in relation to various correspondence between The Australian Workers' Union ("AWU") and the Registered Organisations Commission ("ROC") regarding the AWU's membership records.

The most recent correspondence from the AWU to ROC was dated 19 January 2018. Attached to that letter from the AWU was a letter from RSM Australia Pty Ltd ("RSM") – the business contracted to conduct a review of the AWU's current approach to membership records. The RSM letter provided an indicative timeframe for their review. We write to update ROC about the status of this matter.

RSM's review is near conclusion and its final report will be provided to the AWU by 13 April 2018. The report will then be considered by the AWU National Executive.

Given the review is close to completion, we have had preliminary discussions with RSM representatives about likely outcomes. These discussions have indicated the final report will recommend improved practices in terms of the maintenance of the AWU's membership register and its reporting of membership numbers.

Arising from the AWU National Executive's consideration of the final report, we anticipate that the AWU will adopt a number of recommendations which will improve practices and process regarding the maintenance of the AWU's membership register and reporting of membership numbers. We undertake to urgently inform ROC about the decisions made by the AWU National Executive in response to RSM's report.

Our preference would be to then meet with ROC representatives to discuss the AWU's response to the report.

Please contact the undersigned if you wish to discuss this matter.

Yours sincerely,



Daniel Walton
NATIONAL SECRETARY

19 January 2018

Mr Chris Enright
Executive Director
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Email: regorgs@roc.gov.au

Dear Mr Enright

Independent audit of membership figures of the AWU [AR2016/161]

I refer to your letter of 21 December 2017 addressed to the National Secretary, Daniel Walton, regarding the above matter and our response on 22 December 2017.

As outlined in previous correspondence we appointed RSM Australia to conduct the independent external review and the project commencement had to be delayed.

Attached is a letter from RSM Australia which includes their timeframe with the expected dates for the conclusion and subsequent reporting of this project.

We apologise for this delay and will keep you informed of the progress of the project.

Yours sincerely



Misha Zelinsky
ACTING NATIONAL SECRETARY

RSM Australia Pty Ltd

Level 13, 60 Castlereagh Street Sydney NSW 2000

GPO Box 5138 Sydney NSW 2001

T +61(0) 2 8226 4806

F +61(0) 2 8226 4501

www.rsm.com.au

18 January 2018

Mr Warren Kensett-Smith
Financial Controller – National Office
The Australian Workers' Union
Level 10, 377-383 Sussex Street
Sydney NSW 2000

Dear Warren,

AWU MEMBERSHIP REVIEW: COMMUNICATION OF AUDIT TIMEFRAME

This letter is to communicate the indicative timeframe for executing the review of Australian Workers' Union Membership in accordance with the agreed revised scope dated 15th December 2017.

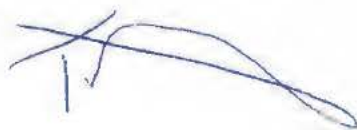
Based on our discussions with the Branch Secretaries on 12th January 2018, indicative audit schedule is as below:

Preliminary documents request date	12th January 2018
Expected date to receive preliminary documentation	26th January 2018
Fieldwork Start Date	12th February 2018
Fieldwork Completion Date	23rd February 2018
Final Report Due Date	21st March 2018

The above dates are indicative only and are dependent on the availability of requested documentation and key personnel. We anticipate adhering to the above schedule should there be no delays or issues arising.

Should you have any questions or queries, please feel free to contact me on (02) 8226 4806 or Ankitha Mahishi on (02) 8226 4856.

Yours Sincerely



T PITTAWAY
Director

22 December 2017

Mr Chris Enright
Executive Director
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Email: regorgs@roc.gov.au

Dear Mr Enright

Independent audit of membership figures of the AWU [AR2016/161]

I refer to your letter of 21 December 2017 addressed to the National Secretary, Daniel Walton, regarding the above matter.

As outlined in our letter of 23 October 2017, the AWU appointed RSM Australia to conduct the independent external review of our membership records and reporting process. The original timeline contemplated an expected conclusion of 6 December 2017.

Unfortunately due to a number of matters impacting on the AWU as well as the complexity and importance of this matter, the project commencement had to be delayed. This was advised to the National Executive on 6 December 2017.

Given the lateness in the calendar year and the impact that this has on internal AWU resources as well as that of RSM Australia, it is now expected that the conclusion of the external review and subsequent reporting will not occur until early in 2018.

We apologise for this delay and will keep you informed regarding the progress of the review.

Yours sincerely



Misha Zelinsky
ACTING NATIONAL SECRETARY



Australian Government
Registered Organisations Commission

21 December 2017

Mr Daniel Walton
National Secretary
The Australian Workers' Union (AWU)
Level 10, 377 - 383 Sussex Street
SYDNEY NSW 2000

By email: members@nat.awu.net.au

Dear Mr Walton,

Independent audit of membership figures of the AWU [AR2016/161]

I refer to previous correspondence between the Registered Organisations Commission (ROC) and the AWU, in particular your correspondence dated 23 October 2017 regarding the independent review of the AWU's 2009 to 2015 membership figures.

In particular, your letter stated that:

- the findings of the membership audit would be presented to the AWU's National Executive on 6 December 2017; and
- the 'outcome of the review and any motions passed by the National Executive relevant to the matters subject of the terms of reference and the findings of the review will be provided to ROC'.

Your letter also advised that 'we anticipate the findings will be provided by ... 12 December 2017'.

There does not appear to be a record of the requested documents having ever been provided to the ROC.

Accordingly, would you please arrange for the documents to be provided to the Commission **by Monday 22 January 2018**.

If you have any questions regarding the above, please contact Mr Bill Steenson by email at bill.steenenson@roc.gov.au, or by phone on (02) 8293 4665.

Yours sincerely,

Chris Enright
Executive Director
Registered Organisations Commission

**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1 800 585 853
Daniel Walton National Secretary



23 October 2017

Mr Chris Enright
Executive Director
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

By email: andrew.schultz@roc.gov.au

Dear Mr Enright

Re: AWU Membership figures – AR2016/161

I refer to your letter dated 17 October 2017.

In relation to the matters set out in your letter I confirm the following:

1. The AWU have engaged RSM to conduct the independent external review of the AWU's membership records and reporting. A copy of the terms of reference is attached for your records.
2. The findings of the review will be presented to the AWU's National Executive on 6 December 2017.
3. The outcome of the review and any motions passed by the National Executive relevant to the matters subject of the terms of reference and the findings of the review will be provided to ROC.
4. We anticipate the findings will be provided by close of business 12 December 2017.

Yours sincerely

Daniel Walton
NATIONAL SECRETARY

*(attachment 1 Terms of Reference)
(attachment 2 Acceptance RSM Proposal)*



**IN THE WATER
NATIONAL SECURITY**
The Australian Waters Unit
Call 0 377 333 333
ENTER 157200

[illegible]

This document contains information that is exempt from disclosure under the provisions of the Freedom of Information Act, 5 U.S.C. 552, and the Privacy Act, 5 U.S.C. 552a, and is being furnished to you in confidence. It is to be controlled, stored, handled, transmitted, and disposed of in accordance with the provisions of the Privacy Act, 5 U.S.C. 552a, and the Freedom of Information Act, 5 U.S.C. 552. It is to be controlled, stored, handled, transmitted, and disposed of in accordance with the provisions of the Privacy Act, 5 U.S.C. 552a, and the Freedom of Information Act, 5 U.S.C. 552.

- my letter dated 13 May 2017 which requested that the ASNU commission an external audit of ASNU membership reporting in annual returns and financial reports between 2009 and 2015 to address a range of concerns (as set out in that letter);
- your letter dated 3 July 2017 which advised that the ASNU had commissioned an 'ASNU Modern Membership Project' (which would report on improvements that the ASNU can make to its record keeping practices) – although that letter did not indicate whether the ASNU would commission an external audit of its membership records; and
- our meeting on 3 August 2017 at the office of the Registered Organisations Commission (the Commission).

Your report is valued by the ROC. Should you have any questions, please contact the ROC on (03) 9401 0777 or chris.enright@roc.gov.au.

CONCLUSIONS

3 July 2017

Mr Chris Enright
Delegate of the Commissioner
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Via email: Carolyn.moloney@roc.gov.au

Dear Mr Enright,

Re: AWU Membership Matters

1. I refer to your letter dated 19 May 2017.
2. At the outset, the AWU wishes to emphasise its commitment to ensure a high level of integrity and compliance with its membership reporting obligations.
3. Arising from your correspondence, the AWU has considered how best to facilitate this outcome.
4. This consideration has resulted in a decision by the AWU to commission a project entitled "AWU Modern Membership Project" (**the Project**).
5. The Project will be conducted by an external consultant. The AWU will shortly seek to identify an appropriate consultant to conduct the Project.
6. It is intended that the Project will report on improvements the AWU can make to systems, process, rules and reporting methodology. The purpose will be to facilitate the goal referred to in paragraph 2 above.
7. As such, the AWU has devised Terms of Reference for the Project, which are appended at Annexure A to this correspondence.
8. We anticipate that the recommendations of the Project will result in changes and optimisation to AWU practices, systems, reporting and possibly also rules.
9. As such, the AWU intends to notify and consult with ROC and FWC about relevant proposed changes prior to implementation. This is reflective of the AWU's desire to maintain a constructive engagement within the regulatory framework.
10. We anticipate that the Project will take a number of months to complete. We anticipate communicating with you further in relation to the Project.

Yours sincerely



Daniel Walton
NATIONAL SECRETARY

Appendix A

AWU Modern Membership Project

Objective

The AWU is committed to ensuring a high level of integrity and compliance with its membership reporting obligations under the *Fair Work (Registered Organisations) Act 2009* (Cth).

The AWU Modern Membership Project is intended to facilitate this objective

Terms

The Project Consultant is requested to consider and make recommendations in respect of the following matters:

1. The capability and functionality of the current AWU membership system.
2. Best practice for organising, managing and resourcing:
 - (a) admission of members; and
 - (b) maintenance and purging of membership registers.
3. Improvements the AWU can make to monitoring and reporting of compliance obligations in respect of membership matters.
4. The suitability of current AWU rules relating to admission and managing membership matters.
5. The functionality of AWU membership systems and practices insofar as they interact with the systems and practices of state registered unions.
6. The role of the AWU National Office in respect of the matters referred to above.

From: MOLONEY,Carolyn
To: ["Warren Kensett-Smith"](#)
Subject: RE: AWU annual return membership reporting [SEC=UNCLASSIFIED]
Date: Friday, 30 June 2017 5:44:00 PM
Attachments: image006.png
image007.png
image008.png
image009.png
image010.png
image011.png

Dear Mr Kensett-Smith,

Thank you for your correspondence.

The Registered Organisations Commission consents to the requested extension of time.

Kind regards,

CAROLYN MOLONEY

Education and Reporting

Registered Organisations Commission

Tel: (02) 8293 4629

carolyn.moloney@roc.gov.au

Level 13, 175 Liverpool Street, Sydney NSW 2000

www.roc.gov.au

cid:image002.png@01D2CA39.9F6DB740



We acknowledge the traditional owners and custodians of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to their elders both past and present.

Please consider the environment before printing this message

From: Warren Kensett-Smith [REDACTED]
Sent: Friday, 30 June 2017 2:36 PM
To: MOLONEY,Carolyn
Cc: Daniel Walton; ENRIGHT,Chris
Subject: AWU annual return membership reporting

Dear Ms Moloney

In our correspondence of May 30th 2017 we anticipated that we would be able to provide a response to Mr Enright's recommendations by today, June 30th 2017

We would ask for an extension until Tuesday July 4th 2017 to provide that information

Regards

WARREN KENSETT - SMITH FINANCIAL CONTROLLER – NATIONAL OFFICE



Description: AWU logo H s



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5 June 2017

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 – 383 Sussex Street
SYDNEY NSW 2000

By email: members@awu.net.au;
Cc: Debra Bushell

Dear Mr Walton,

Re: Concerns about the validity of AWU membership reporting (AR2016/161)

I acknowledge receipt of your recent correspondences dated 30 May 2017 and 2 June 2017 respectively, in response to the correspondence from Chris Enright dated 19 May 2017. I also acknowledge receipt of the amended Operating Reports for the relevant financial years, which were provided as attachments to your correspondence dated 2 June 2017. These amended Operating Reports will be uploaded to the relevant financial returns files on the website of the Registered Organisations Commission, as well as on the 2016 annual return file.

In your correspondence dated 30 May 2017 you anticipated that by 30 June 2017 the AWU would respond to Mr Enright's recommendation that an external membership audit be conducted for the relevant years. Accordingly, the Registered Organisations Commission awaits your advice in relation to that recommendation.

If I can assist you further, I can be contacted by email to: carolyn.moloney@roc.gov.au.

Yours sincerely,

Carolyn Moloney
Education, Reporting and Planning
Registered Organisations Commission

**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@na.awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 853
Daniel Walton National Secretary



ABN 28 853 022 982

2 June 2017

Mr Chris Enright
Delegate of the Commissioner
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Via email: Carolyn.moloney@roc.gov.au

Dear Mr Enright

Re: Concerns about the validity of AWU membership reporting – AR2016-161

I refer to the above matter and your letter of 19 May 2017.

Please find attached an amended section of the Operating Report for each of the financial year, which includes the corrected membership figures for that financial year.

We trust that this finalises the matter. If necessary we would be pleased to discuss this matter with you further.

Yours faithfully

Daniel Walton
NATIONAL SECRETARY

(attachment)

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)
ABN 28 853 022 982
ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2009**

OPERATING REPORT JULY2008 - JUNE 2009

Amendment to Number of Members (Page2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 120,393. (2008-107,043)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 121,196. (2008-106,494)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2009 should be read to include this amendment.

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)**

ABN 28 853 022 982

**ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2010**

OPERATING REPORT JULY2009 - JUNE 2010

Amendment to Number of Members (Page2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 129,981. (2009-120,393)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 121,660. (2009-121,196)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2010 should be read to include this amendment.

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)
ABN 28 853 022 982
ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2011**

OPERATING REPORT JULY2010 - JUNE 2011

Amendment to Number of Members (Page2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 132,956. (2010-129,981)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 131,347. (2010-121,660)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2011 should be read to include this amendment.

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)**

ABN 28 853 022 982

**ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2012**

OPERATING REPORT JULY2011 - JUNE 2012

Amendment to Number of Members (Page2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 139,329. (2011-132,956)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 134,174. (2011-131,347)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2012 should be read to include this amendment.

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)**

ABN 28 853 022 982

**ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2013**

OPERATING REPORT JULY2012 - JUNE 2013

Amendment to Number of Members (Page2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 121,448. (2012-139,329)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 114,356. (2012-134,174)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2013 should be read to include this amendment.

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)**

ABN 28 853 022 982

**ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2014**

OPERATING REPORT JULY 2013 - JUNE 2014

Amendment to Number of Members (Page2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 120,289. (2013-121,448.)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 109,599. (2013-114,356)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2014 should be read to include this amendment.

**THE AUSTRALIAN WORKERS' UNION
(NATIONAL OFFICE)
ABN 28 853 022 982
ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2015**

OPERATING REPORT JULY 2014 - JUNE 2015

Amendment to Number of Members (Page 2)

The Number of Members reported in this Financial Year was as follows;

Number of Members

Number of persons in register of members: 92,789. (2014-109,599)

As a result of a review conducted at the request of The Fair Work Commission the following amendment is made:

Amended Number of Members

Number of persons in register of members: 93,214. (2014-109,599)

This section of the Operating Report currently contained within the Annual Financial Report for the Year Ended 30 June 2015 should be read to include this amendment.

From: Debra Bushell
To: [MOLONEY, Carolyn](#)
Subject: RE: AWU annual return membership reporting [SEC=UNCLASSIFIED]
Date: Wednesday, 31 May 2017 4:21:49 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png

Hi Carolyn

Thank you for your email.

The AWU will be in a position to respond to Mr Enright's request that an external audit be undertaken. This response will be provided by 30 June 2017.

Kind regards

Debra

Debra Bushell | PERSONAL ASSISTANT TO THE NATIONAL SECRETARY

[REDACTED]
LEVEL 10, 377 - 383 SUSSEX STREET, SYDNEY NSW 2000
WWW.AWU.NET.AU



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From: MOLONEY, Carolyn [mailto:Carolyn.Moloney@roc.gov.au]
Sent: Wednesday, 31 May 2017 9:57 AM
To: Debra Bushell [REDACTED]
Subject: RE: AWU annual return membership reporting [SEC=UNCLASSIFIED]

Hi Debra,

In relation to the correspondence of Mr Walton, per the below email, could you confirm what is intended by the words "in relation to your recommendation, we anticipate that we will respond to your recommendation by 30 June 2017". That is, could you confirm whether the outcome of

the audit recommended by Mr Enright is anticipated to be provided to Mr Enright by 30 June 2017, or whether AWU will advise Mr Enright by 30 June 2017 of its' intention or otherwise, to undertake the audit.

Thanks,

Kind regards,

CAROLYN MOLONEY

Education and Reporting

Registered Organisations Commission

Tel: (02) 8293 4629

carolyn.moloney@roc.gov.au

Level 13, 175 Liverpool Street, Sydney NSW 2000

www.roc.gov.au



Australian Government

Registered Organisations Commission

We acknowledge the traditional owners and custodians of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to their elders both past and present.

Please consider the environment before printing this message

From: Debra Bushell [mailto: [REDACTED]]
Sent: Tuesday, 30 May 2017 3:18 PM
To: MOLONEY, Carolyn
Subject: AWU annual return membership reporting

Dear Carolyn

Please find attached correspondence of today's date from Daniel Walton to Chris Enright.

Kind regards

Debra

Debra Bushell | PERSONAL ASSISTANT TO THE NATIONAL SECRETARY



LEVEL 10, 377 - 383 SUSSEX STREET, SYDNEY NSW 2000

WWW.AWU.NET.AU



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NATIONAL OFFICE
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T: (02) 8005 3333 F: (02) 8005 3300
E: members@naLawU.net.au W: www.awu.net.au
Members Hotline: 1300 885 853
Daniel Walton National Secretary



ABN 28 853 022 982

30 May 2017

Mr Chris Enright
Delegate of the Commissioner
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Via email: Carolyn.moloney@roc.gov.au

Dear Mr Enright

I refer to your letter dated 19 May 2017.

The AWU will by 2 June 2017, file the relevant remedy documents referred to in our letter dated 21 March 2017.

In relation to your recommendation, we anticipate that we will respond to your recommendation by 30 June 2017.

Yours faithfully

Daniel Walton
NATIONAL SECRETARY



19 May 2017

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377 - 383 Sussex Street
SYDNEY NSW 2000

By email: members@awu.net.au

Dear Mr Walton

AWU Membership figures

Fair Work (Registered Organisations) Act 2009 (Cth) – AR2016/161

I refer to previous correspondence regarding the membership figures kept by The Australian Workers' Union (**AWU**) under the *Fair Work (Registered Organisations) Act 2009 (Cth)* (**RO Act**).

The most recent correspondence consisted of your letter dated 21 March 2017 which included a copy of an internal audit of the membership figures disclosed in annual returns and financial reports by the AWU and its branches from 2009 to 2015. The letter and membership audit report advised that erroneous membership figures had been provided in national financial reports from 2009 to 2015. The report also stated that:

It is proposed that the AWU provide FWC a separate statement for each of the Financial years impacted; 30 June 2009 – 2015, which is to be read in conjunction with the Financial Report for that financial year which restates the membership numbers reported in the Financial year.

Your letter also indicated that:

It is the intention of the AWU to provide the relevant remedy documents referred to ... in the attached audit report for lodgement and uploading to the Fair Work Commission's website.

Given that the relevant membership figures were originally provided in the AWU's national Operating Reports (which form part of the financial report), pursuant to subsection 254(2)(f) of the RO Act and subregulation 159(a) of the *Fair Work (Registered Organisations) Regulations 2009 (Cth)* (**RO Regulations**) I confirm that the lodging of remedy documents is required.

Accordingly, a separate signed statement should be lodged for each financial year stating that it:

- amends the Operating Report that was previously lodged for that year;
- provides the correct membership figure for that financial year; and
- provides the reason why an incorrect figure was included in the original Operating Report.

In addition, to assist you in complying with the requirements of the RO Act regarding membership figures, I provide below some general analysis and commentary about AWU membership figures and references to relevant provisions in the RO Act, although as I noted in my correspondence of 15 November 2016:

For the avoidance of doubt, I advise that my queries...are not in any way related to the current investigation into the Victorian Branch of the AWU which was commenced on 2 November 2016

The relevant correcting statements, together with additional information as set out below, should be lodged by Friday 2 June 2017.

1. Introduction

As you will be aware, the Registered Organisations Commission (**ROC**) commenced operations on 1 May 2017 and relevant amendments to the RO Act commenced on 1 and 2 May 2017 accordingly. The jurisdiction relating to the lodgement of annual returns and financial reports now resides with the ROC and thus the previous matters raised in the context of the Fair Work Commission (**FWC**) are now within the jurisdiction of the ROC.

Section 329AB of the current RO Act lists the functions of the Registered Organisations Commissioner (the **Commissioner**) which relevantly include:

- a. to promote:
 - (i) efficient management of organisations and high standards of accountability of organisations and their office holders to their members; and
 - (ii) compliance with financial reporting and accountability requirements of this Act;
including by providing education, assistance and advice to organisations and their members

As I indicated in my correspondence to the AWU dated 15 November 2016, an important aspect of being an efficient and effective regulator involves a continuing process of building an understanding of relevant regulated entities, such as the AWU. In seeking to develop a better understanding of entities registered under the RO Act, pro-active steps continue to be taken on, among other things, issues related to the obligations of registered organisations to report membership in financial reports and annual returns.

Prior and subsequent to receiving your letter of 21 March 2017, I have continued the process of reviewing membership figures the AWU has lodged in statutory returns over time. While I propose to refer in some detail to my review later in this correspondence, it is convenient to provide here some examples of issues I have noted.

For example, I noted that:

- membership figures in AWU annual returns were, on average, 2,985 higher than those in financial reports from 2009 to 2015.

I also noted that the Queensland Branch:

- had purportedly more than 20,000 unfinancial members from 30 June 2009 to 30 June 2012 (and in late 2012 it purportedly had 28,320 unfinancial members); and
- has reported that the average number of *financial members* fell from about 47,000 (in 2004 to 2006) to about 33,000 (in 2007 to 2014) without any apparent decline in the

membership income of the branch (see further information in Table 4 and Table 5 below).

As I reflected on that reporting, it seemed to me that it may be relevant to:

- whether the AWU has purged unfinancial members within 36 months under s172 of the RO Act and AWU Rule 15 (as set out further below); and
- the accuracy of the AWU membership figures generally – given that the Queensland Branch purportedly forms over 40% of the union’s membership.

These points are discussed further below.

2. Legislative requirements – register of members

The RO Act requires an organisation to, among other things:

- keep a register of the name and postal address of each member (refer to subsection 230(1));
- enter in the register the name and postal address of a new member within 28 days of the person becoming a member and to remove from the register the name and postal address of a person who has ceased to be a member within 28 days (refer to subsection 230(2)).

The RO Act also includes two separate requirements regarding the lodgement of membership figures as follows:

- An organisation must lodge an annual return each year that states the number of members in the organisation as at 31 December of the prior year (refer to subsections 233(1) and 230(1)(d) and subregulation 147(f)).
- Each reporting unit in an organisation is required to prepare a financial report each year.¹ The Operating Report in the financial report must state, among other things, the number of members in the reporting unit as at the end of the financial year (refer to subsection 254(2)(f) and subregulation 159(a)).

I note that subsections 230(1) and 230(2) and sections 233 and 254 are civil penalty provisions.

3. Legislative and other requirements – purging of unfinancial members

Section 172 of the RO Act requires an organisation to remove from its register, persons who have been unfinancial for more than 24 months within the next ensuing 12 months as follows:

- (1) If:
 - (a) the rules of an organisation require a member to pay dues in relation to the person’s membership of the organisation; and
 - (b) the member has not paid the amount; and
 - (c) a continuous period of 24 months has elapsed since the amount became payable; and

¹ An organisation and its branches are, in normal circumstances, separate reporting units – refer s242.

- (d) the member's name has not been removed from the register kept by the organisation under paragraph 230(1)(a);

the organisation must remove the name and postal address of the member from the register within 12 months after the end of the 24 month period.

Note: This subsection is a civil penalty provision (see section 305).

- (2) In calculating a period for the purposes of paragraph (1)(c), any period in relation to which the member was not required by the rules of the organisation to pay the dues is to be disregarded.
- (3) A person whose name is removed from the register under this section ceases to be a member of the organisation on the day his or her name is removed. This subsection has effect in spite of anything in the rules of the organisation.

Note: A non-financial member's membership might cease and his or her name be removed from the register earlier than is provided for by this section if the organisation's own rules provide for this to happen.

I note that similar provisions to section 172 are also included in Rule 15(3) of the AWU Rules as follows:

Rule 15 – Ceasing to be a member and purging the register of members ...

- (3) A member is deemed to have resigned if he or she has not paid the annual contribution for a continuous period of 24 months. In such case the Branch Secretary must remove the name and postal address of the member from the register within 12 months after the end of the 24 month period.
- (4) In calculating the period for the purpose of subrule (3), any period in relation to which the member was not required by the rules of the organisation to pay the dues is to be disregarded.

A person whose name is removed from the register under subrule (3) ceases to be a member of the organisation on the day that the person is removed.

4. Summary of recent correspondence

On 15 November 2016, I advised the AWU that the total membership figures disclosed in recent annual returns (measured as at 31 December) and financial reports (measured as at 30 June) for the AWU National Office had been identical (as set out below). I also noted that such identical figures, six months apart, were inherently unlikely and I sought a response from the organisation.

Table 1.

AWU	2009	2010	2011	2012	2013	2014	2015
Financial Report at 30 June	120,393	129,981	132,956	139,329	121,448	120,289	92,789
Annual Return at 31 Dec	129,981	132,956	139,329	121,448	120,289	103,678	98,763

On 25 November 2016, by return correspondence, you stated that:

... the AWU acknowledges ... there is an error in its historic membership numbers recorded in its Financial Reports for June 2009 – 2014

You also advised that the AWU financial reports had erroneously ‘reflected the membership numbers’ in prior annual returns, that the AWU had changed its practices and ‘would consider taking remedial action if required to do so’.

On 20 December 2016, I requested the AWU to commence an audit of the membership figures in both its annual returns and financial reports from 2009 to 2014.

On 21 March 2017, you forwarded a three page ‘internal audit’ of the membership records (**membership report**) from 2009 to 2015 which stated:

- In relation to national AWU annual returns - the membership report stated that the national figures ‘were referenced to all contemporaneous supporting documentation provided to the [AWU] National Office by each Branch’ and no discrepancies were identified in relation to those figures.
- In relation to national AWU financial reports - the membership audit confirmed that duplicate figures from prior annual returns had been included in financial reports. It also provided amended figures for the National financial reports from 2009 to 2015 with the amount of the variances. An excerpt from the table is provided below:

Table 2.

FINANCIAL REPORT ²	[Revised] TOTAL [of branch Financial Reports]	National Office [original total in National Financial Reports]	Variance
30-Jun-09	121,196	120,393	803
30-Jun-10	121,660	129,981	(8,321)
30-Jun-11	131,347	132,956	(1,609)
30-Jun-12	134,174	139,329	(5,155)
30-Jun-13	114,356	121,448	(7,092)
30-Jun-14	109,599	120,289	(10,690)
30-Jun-15	93,214	92,789	425

The membership report also proposed that the AWU would provide ‘a separate [correcting] statement for each of the financial years impacted; 30 June 2009-2015 as stated further above.

5. General review of the membership figures in the AWU

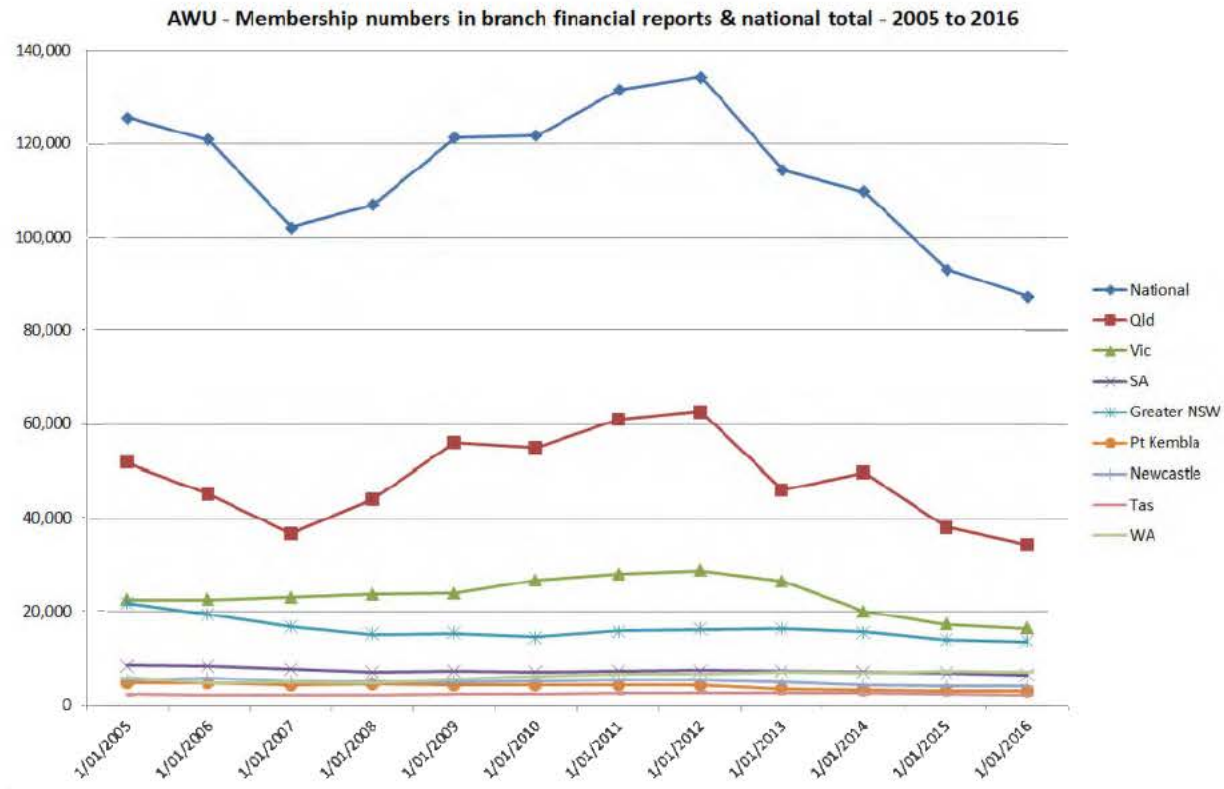
While dealing with this matter, I have particularly endeavoured to identify and, if possible, understand any apparent trends or patterns in reported AWU membership over time so as to better understand the AWU as a registered organisation. To assist me in that task, I took the opportunity of reviewing the membership figures of the AWU over an extended period between 2005 to 2016.

A table of the membership figures disclosed in both financial reports and annual returns from 2005 to 2016 is provided at Annexure A. These figures include the revised membership figures included in the AWU’s membership report.

² This excerpt omits from the table the separate columns for each branch and the footnotes.

A graph of the membership figures provided in financial reports of the branches (and the national total of those figures) between 2005 and 2016 is provided in Table 3 below.

Table 3



6. Membership in annual returns higher than financial reports

Having regard to the membership figures set out in Annexure A (which incorporate the revised figures provided in the AWU's membership report) I note that contrary to the information in the statutory returns previously lodged, membership figures in annual returns were, on average, 2,985 higher than those in financial reports from 2009 to 2015.

The discrepancies are particularly common in certain branches³ – for example:

- *Newcastle Branch* - the annual return figures were, on average, 13% higher than the figures in the branch's financial reports from 2009 to 2015 – refer to Annexure A⁴
- *Tasmanian Branch* – the annual return figures were, on average, 25% higher than the figures in the branch's financial reports from 2009 to 2015 – refer to Annexure A.

7. Queensland Branch - issues regarding membership

Also having regard to the membership figures set out in Table 3 and Annexure A, I note that the most significant changes in AWU reported membership between 2005 and 2016 were in Queensland.

³ The membership figures in annual returns for the Victorian Branch were also, on average, 7.5% higher than those disclosed in the branch's financial reports from 2009 to 2015.

⁴ The separate NSW branches were merged into one branch in September 2016.

In light of that, I have collated the following additional data regarding the Queensland Branch from from 2003 to 2016:

- the number of total members reported in financial reports;
- the number of financial members reported in financial reports; and
- the membership income reported in financial reports.

This information is set out in Tables 4 and 5 below.

When considering this membership data for the Queensland Branch, a number of issues became apparent - for example:

- it was unclear to me how the average number of financial members could fall from about 47,000 (in 2004 to 2006) to about 33,000 (in 2007 to 2014) without any apparent fall in the membership income of the branch;
- it was unclear how unfinancial members could rise so substantially from 2007 to 2012; and
- given that the Queensland Branch purportedly had:
 - more than 20,000 unfinancial members from 30 June 2009 to 30 June 2012; and
 - 28,320 unfinancial members in late 2012 constituting 45% of the branch's membership

it was unclear whether the AWU has purged unfinancial members within 36 months as required under s172 of the RO Act and AWU Rule 15.

Table 4

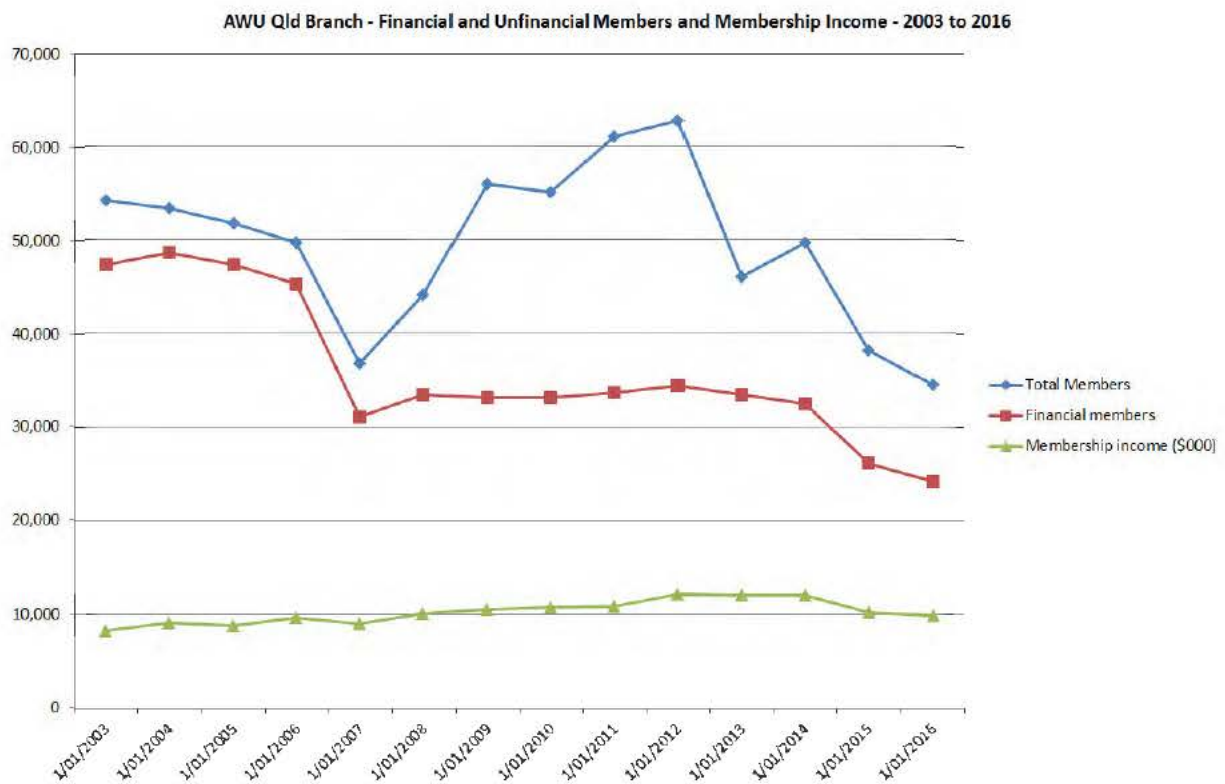


Table 5

AWU Queensland Branch Financial Reports	Total Members	Financial members ⁵	Unfinancial members	Percentage of unfinancial members	Membership income (\$000)
30/06/2003	54,181	47,340	6,841	12%	\$ 8,233
30/06/2004	53,348	48,632	4,716	8%	\$ 9,082
30/06/2005	51,761	47,322	4,439	8%	\$ 8,826
30/06/2006	49,707 ⁶	45,250	4,457	8%	\$ 9,648
30/06/2007	36,749	31,111	5,638	15%	\$ 9,056
30/06/2008	44,080	33,455	10,625	24%	\$ 10,093
30/06/2009	55,964	33,161	22,803	40%	\$ 10,574
30/06/2010	55,075	33,091	21,984	39%	\$ 10,713
30/06/2011	61,040	33,663	27,377	44%	\$ 10,854
30/06/2012	62,726	34,406	28,320	45%	\$ 12,161
30/06/2013	46,026	33,439	12,587	27%	\$ 12,015
30/06/2014	49,677	32,494	17,183	34%	\$ 12,017
30/06/2015	38,210	26,091	12,119	31%	\$ 10,186
30/06/2016	34,488	24,223	10,265	29%	\$ 9,928

8. Identifying and understanding any trends or patterns

As I have earlier indicated, I have particularly endeavoured to identify and, if possible, understand any apparent trends or patterns in reported AWU membership over time so as to better understand the AWU as a registered organisation. I considered that it might be useful to drill down into membership data the AWU has reported and in one approach, a graph was produced at Table 6 below which represents increases or decreases in AWU membership between 2009 and 2015 at six month intervals.

⁵ In each year the Queensland Branch's Operating Report (in the financial report) provided the number of members in the branch as well as the number of financial members and unfinancial members – except for the years ended 30 June 2003 to 2008 when the Operating Report only provided the number of members (and 2003 when no number was provided). However the Queensland Branch also lodged for years ended 30 June 2003 to 2008 an Accounting Officer's Certificate for both the Queensland Branch of the AWU and the Queensland State union ('The Australian Workers' Union, Queensland' (AWUQ)) which provided the number of financial and unfinancial members for both entities.

⁶ The Queensland Branch's Operating Report (in the financial report) stated there were 45,250 members in this year – but the related Accounting Officer's certificate for the Queensland Branch and the AWUQ stated that there were 45,250 financial members and 4,457 unfinancial members (which totals 49,707).

Table 6.



The graph in Table 6 above is based on the following data in Table 7 below.

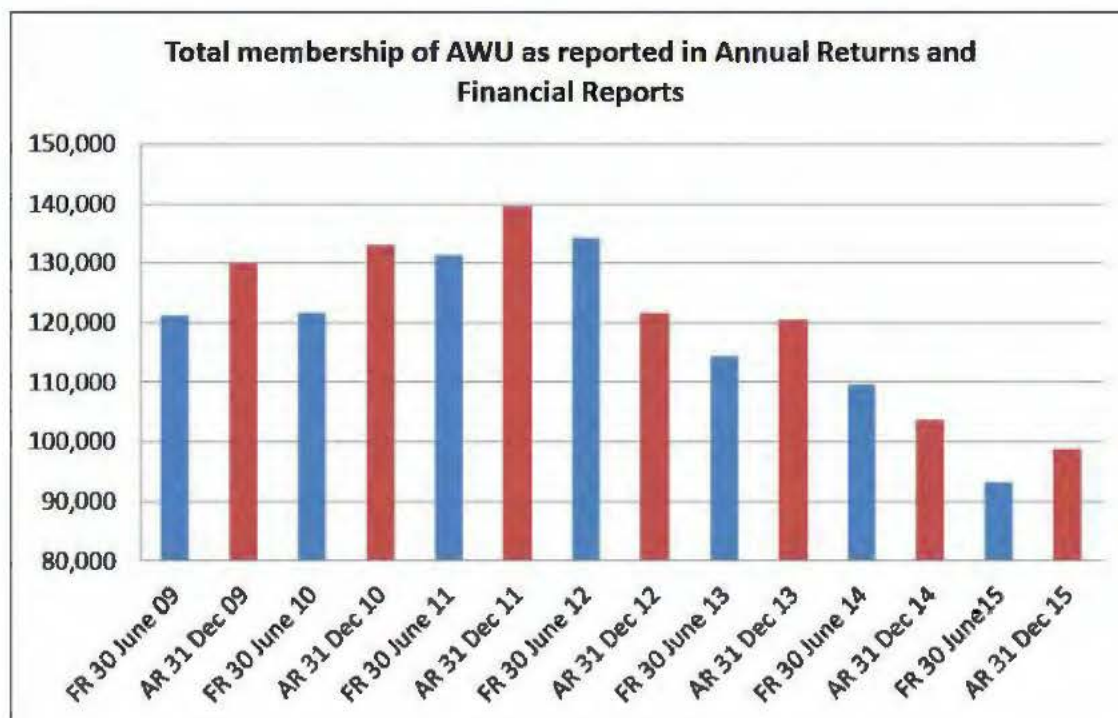
Table 7

Membership reported as at	Number of Members	Increase/Decrease from previous AR/FR	Percentage increase/decrease
FR 30-Jun-09	121,196	-	-
AR 31-Dec-09	129,981	+8,785	+7.2%
FR 30-Jun-10	121,660	-8,321	-6.4%
AR 31-Dec-10	132,956	+11,296	+9.3%
FR 30-June-11	131,347	-1,609	-1.2%
AR 31-Dec-11	139,329	+7,982	+6.0%
FR 30-June-12	134,174	-5,155	-3.7%
AR 31-Dec-12	121,448	-12,726	-9.5%
FR 30-Jun-13	114,356	-7,092	-5.9%
AR 31-Dec-13	120,289	+5,933	+5.2%
FR 30-Jun-14	109,599	-10,690	-8.9%
AR 31-Dec-14	103,678	-5,921	-5.4%
FR 30-Jun-15	93,214	-10,464	-10.1%
AR 31-Dec-15	98,763	+5,549	+6.0%

Based on this data, I was unable to discern any apparent trends or patterns which assisted my understanding of membership issues in the AWU.

Taking a slightly different approach based on the same reporting period (2009 – 2015), a graph was produced at Table 8 below which represents comparisons between the reported membership in financial reports as compared to annual returns.

Table 8.



Based on this graph, I was unable to discern any apparent trends or patterns which assisted my understanding of membership issues in the AWU, other than the general membership decline and for reasons which remain unclear, that some branch annual return figures are on average higher than the figures in financial reports for those branches.

9. Observations emerging from the AWU reported membership data 2009 – 2015

In my correspondence of 15 November 2016, I noted that the AWU declined to participate in a 2015 voluntary survey of all federally registered unions conducted by the Regulatory Compliance Branch of the FWC concerning the population, maintenance and purging of membership registers. As a result of this the regulator's understanding about those matters in so far as the AWU is concerned, is consequently limited. For that reason, a number of assumptions have been made about membership reporting which I will include in addition to my observations below.

In that context and having had the opportunity of reviewing reported AWU membership data, particularly for the period 2009 – 2015, I noted as I indicate above that it was unclear why in some periods, there appeared to be higher member figures being reported in annual returns than there were in financial reports.

In addition, I make the following observations:

Fluctuations in membership numbers

I note the following points:

- a. According to the revised figures provided, the AWU had 134,174 members as at 30 June 2012 as reported in the relevant financial report but only 121,448 as at 31 December 2012 as reported in the Annual Return.

If the figures are accurate, it is not readily apparent to me how the AWU could experience a reduction of approximately 12,700 members in a six month period.

- b. Similarly, according to the revised figures, the AWU had 121,660 members as at 30 June 2010 but 132,956 as at 31 December 2010.

If the figures are accurate, it is not readily apparent to me how the AWU could experience an increase of approximately 11,000 members in a six month period.

- c. According to its financial report, the Queensland Branch had 62,726 members as at 30 June 2012. However, that number had fallen to 47,248 as at 31 December 2012 as reported in the Annual Return. This represents a decrease of approximately 25% in a six month period.

If the figures are accurate, it is not readily apparent to me how the Queensland Branch could experience a 25% reduction in financial members in a six month period.

- d. According to the revised figures you have provided, the membership of the AWU declined from 139,329 on 31 December 2011 to 121,448 on 31 December 2012 as reported in the relevant annual returns. However, the revised figures for the financial reports for 30 June 2011 to 30 June 2012 indicate that the AWU's membership increased from 131,347 to 134,174

If the figures are accurate, it is not readily apparent to me how the membership of the AWU could decline by approximately 18,000 in the twelve months preceding 31 December 2012 in the annual return yet show an increase in the financial report of approximately 3,000 during the period of 30 June 2011 to 30 June 2012.

- e. According the to the revised figures provided, from 30 June 2012 to 30 June 2013 the membership of the AWU declined from 134,174 to 114,356 as reported in the relevant financial reports. However, according to the figures provided in the annual returns for 30 December 2012 to 30 December 2013 the membership of the AWU only declined from 121,448 to 120,289.

If the figures are accurate, it is not readily apparent to me how the AWU could experience a decline of approximately 20,000 members in the twelve months preceding 30 June 2013 as reported in the financial report but a decline of membership of only about 1,000 members during the period of 31 December 2012 to 31 December 2013 as reported in the annual return.

- f. According to the revised figures and the figures presented in the relevant annual returns, the AWU has experienced significant fluctuations in its membership from 31 December 2009 to 31 December 2015 (refer to Table 6 which is the graph "Increase/decrease in membership at six month intervals).

If the figures are accurate, it is not readily apparent to me how the AWU experienced a decline of over 8,300 members (or 6.4% of its total membership) from 1 January 2010 to 30 June 2010 but then had a surge in membership of approximately 11,300 members (representing an increase of 9.3%) from 1 July 2010 to 31 December 2010.

Maintenance of register and reporting of membership

Section 230 requires changes to the register of members of an organisation to be completed, in normal circumstances, within 28 days.

Rule 7(2) of the AWU Rules also provides that a person becomes a member from the date that the first payment of his/her membership contribution is received.

It is assumed that the register or data base of each branch is updated to reflect these requirements although it is not readily apparent whether the Branch Executive of each branch formally confirms new members, resignations and cessation of membership during its meetings.

While the statutory responsibility to lodge an annual return set out in subsections 233(1)(a) and (b) of the RO Act falls to the national office of registered organisations it is not readily apparent what oversight the national office of the AWU provides over the registers or data bases kept and maintained by each branch or what systems are in place to ensure the integrity of the membership data kept and maintained by each branch.

For the purposes of reporting the total number of members of the AWU in its national annual returns and national financial reports, it is assumed that the national office requires each branch to provide accurate membership data as at the appropriate date (i.e as at 31 December for annual returns and as at the end of the relevant financial year for financial reports).

Relationship with state organisations

Rule 8(5) of the AWU Rules provides that an application for membership of the AWU is deemed to be an application for membership of the relevant state-registered union in NSW, Queensland, South Australia and Western Australia.

It is not readily apparent whether each branch of the AWU and its state counterpart keeps and maintains separate registers or a single register from which data is extracted. If branches and their state counterparts maintain a single register, it is not known whether that approach has resulted in any particular issues, problems or concerns.

Purging of the register

As previously indicated, Rule 15(3) of the AWU Rules, provides that the relevant Branch Secretary must remove the name and address of a member from the register if he/she has not paid the annual contribution for a continuous period of 24 months (noting the effect of section 172 of the RO Act in this regard). Rule 15(6) similarly provides for the purging of unemployed or ill members at the end of the second year.

It is not readily apparent how regularly purging of the AWU register(s) occurs. For example, it is not readily apparent whether purging occurs on an ongoing basis (i.e immediately after a

particular member or members have not paid contributions for 24 months) or whether it occurs at a particular time or times.

Seasonal variations or fluctuations in membership

Unlike some other trade unions, it is not readily apparent whether there are seasonal variations or fluctuations of the levels of membership within the AWU or particular branches of the AWU and if there are such variations or fluctuations, what the extent of them might be. That type of information might assist the regulator to better understand the AWU as a registered organisation.

10. Conclusion

As referred to above, I have reviewed the AWU's membership audit which you provided and it indicated that contrary to the information in the statutory returns previously lodged, membership figures in annual returns were, on average, 2,985 higher than those in financial reports from 2009 to 2015.

Based on the available membership data provided over time by the AWU, I have also made a number of observations about historical AWU membership figures such as, for example:

- a. If the figures are accurate, it is not readily apparent how the membership of the AWU could experience such significant changes of members (in the order of 12,700 members in one six month period and 11,000 members in a separate six month period);
- b. If the figures are accurate, it is not readily apparent how the AWU experienced a decline of over 8,300 members (or 6.4% of its total membership) in one six month period but then had a surge in membership of approximately 11,300 members (representing an increase of 9.3%) in the very next six month period; and
- c. If the figures are accurate, it is not readily apparent how the Queensland Branch could record such significant variances in financial and non financial membership (including a decrease of 25% in one six month period) without observable and concomitant variations in membership subscriptions.

I acknowledge that the AWU has invested time and resources in the conduct of an internal audit, the results of which were attached to your 21 March 2017 correspondence. However, it has become apparent to me that having regard to the observations I have made in this letter, it would be important for the AWU to arrange for the conduct of an independent audit of its membership data between 2009 – 2015. The purpose of such an independent audit would be to provide a level of confidence to members, the regulator and the community more broadly about the integrity of AWU membership reporting and the ability of the AWU to meet its statutory reporting obligations.

11. Recommendation

It is my recommendation that the AWU commission an external audit of AWU membership reporting in annual returns and financial reports between 2009 – 2015 which takes into account and seeks to explain AWU membership issues including but not limited to:

- a. The significant variances in reported membership generally;

- b. The variances between membership reported in annual returns as compared to financial returns;
- c. Whether the AWU is meeting its statutory obligations to purge registers in accordance with the RO Act and AWU Rules; and
- d. How the Queensland Branch (representing approximately 40% of AWU membership):
 - i. could experience a significant increase in the number of its total members until about 2012 (which appears to have commenced in about 2007) without any apparent increase in the branch's membership income;
 - ii. could experience a significant increase in the number of its unfinancial members (which appears to have commenced in about 2007) without any apparent increase in the number of financial members beforehand (given that a new member would typically commence as a financial member and then, in some cases, lapse into being an unfinancial member due to a failure to pay membership subscriptions);
 - iii. could experience a significant decrease in its total membership from 2012 to 2015;
 - iv. could experience significant reductions in financial membership over time without any apparent reduction in membership income (noting this was particularly prevalent from about 2012 to 2015 and also in the earlier period of 2003 to 2006);
 - v. could experience such significant changes to its membership as set out above without similar changes being reflected in other branches of the AWU.⁷

12. Lodging of remedy documents

As I earlier indicated, in your letter of 21 March 2017, you stated that the AWU intended to provide the relevant remedy documents referred to in the membership audit. I have indicated that lodging of those remedy documents is required to ensure that section 254 has been complied with for the relevant financial years.

While I have previously highlighted that subsections 172(1), 230(1) and 230(2) and sections 233 and 254 are a civil penalty provisions, I also draw to your attention the following power available to the Commissioner in the RO Act regarding the register of members kept by an organisation under sections 230 and 231:

235 Commissioner may authorise access to certain records

- (1) A person (the *authorised person*) authorised by the Commission may inspect, and make copies of, or take extracts from, the records kept by an organisation under sections 230 and 231 (the *records*) at such times as the Commissioner specifies.

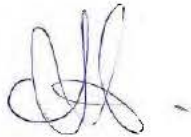
⁷ Apart from a rise and fall in the membership of the Victorian Branch during some of that period.

13. Timeframe for lodging documents

I request that you provide the remedy documents by Friday 2 June 2017. I also request by that date, your advice about the recommendation I have made above.

Should you wish to obtain further information regarding the above, or if you have any questions, please contact me on (03) 9603 0711 or via chris.enright@roc.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'CE', followed by a small horizontal line.

Chris Enright
Delegate of the Commissioner
Registered Organisations Commission

Annexure A - AWU Membership figures lodged 2005 to 2016	Qld	Vic	Greater NSW	Port Kembla	Newcastle	SA	Tas	WA	Tobacco	Whyalla-Woomera	TAPS & Gas ¹	Nationally lodged documents	Total for branch figures	Discrepancies between nationally lodged figures & total branch figures
FR 30/6/2005	51,761	22,589	21,918	4,654	5,326	8,551	2,233	5,919	414	820	1,929	125,493	126,114	-621
AR 31/12/2005	44,942	22,453	21,861	4,771	5,321	8,024	2,393	5,902	412	841	1,863	118,783 ²	118,783	0
FR 30/6/2006	49,707 ³	22,525	19,391	4,790	5,713	8,358	2,213	4,734	420	890	1,857	120,627	120,598	+29
AR 31/12/2006	42,559	22,573	18,971	4,619	5,713	8,358	2,139	5,839	413	867	1,883	113,934	113,934	0
FR 30/6/2007	36,749	23,168	16,780	4,210	5,123	7,722	2,081	4,920	358	850	1,822	102,161	103,783	-1,622
AR 31/12/2007	42,559	23,168	16,780	4,210	5,123	7,722	2,081	4,742	358	850	1,822	109,415	109,415	0
FR 30/6/2008	44,080	23,815	15,205	4,472	4,946	7,130	2,199	4,647	339	840	Abolished	107,043	106,494	+549
AR 31/12/2008	44,080	26,778	17,037	4,306	5,214	7,130	2,229	5,216	329	816	Abolished	113,135	113,135	0
FR 30/6/2009	55,964	23,968	15,423	4,472	4,972	7,350	2,292	5,604	337	813	Abolished	120,393	121,196	-803
AR 31/12/2009	56,908	28,699	17,017	4,954	5,540	8,163	2,819	5,529	352	Abolished	Abolished	129,981	129,981	0
FR 30/6/2010	55,075	26,782	14,619	4,279	5,075	7,158	2,328	6,132	212	Abolished	Abolished	129,981	121,660	+8,321
AR 31/12/2010	60,880	30,433	15,094	4,205	5,402	7,208	3,369	5,918	447	Abolished	Abolished	132,956	132,956	0
FR 30/6/2011	61,040	28,161	15,880	4,301	5,381	7,352	2,451	6,589	192	Abolished	Abolished	132,956	131,347	+1,609
AR 31/12/2011	63,788	31,752	16,203	4,301	5,903	7,352	3,404	6,305	321	Abolished	Abolished	139,329	139,329	0
FR 30/6/2012	62,726	28,852	16,222	4,310	5,264	7,504	2,571	6,575	150	Abolished	Abolished	139,329	134,174	+5,155
AR 31/12/2012	47,248	30,890	16,047	3,250	6,118	7,536	3,439	6,721	199	Abolished	Abolished	121,448	121,448	0
FR 30/6/2013	46,026	26,697	16,319	3,437	4,847	7,274	2,583	7,018	155	Abolished	Abolished	121,448	114,356	+7,092
AR 31/12/2013	50,306	26,768	16,161	3,481	6,048	7,248	3,358	6,919	Abolished	Abolished	Abolished	120,289	120,289	0
FR 30/6/2014	49,677	20,051	15,668	3,278	4,326	7,136	2,499	6,964	Abolished	Abolished	Abolished	120,289	109,599	+10,690
AR 31/12/2014	44,569	18,683	14,728	3,067	5,229	6,964	3,367	7,071	Abolished	Abolished	Abolished	103,678	103,678	0
FR 30/6/2015	38,210	17,318	14,015	3,080	4,101	6,884	2,386	7,220	Abolished	Abolished	Abolished	92,789	93,214	-425
AR 31/12/2015	40,647	18,683	14,527	3,019	4,900	6,671	3,295	7,021	Abolished	Abolished	Abolished	98,763	98,763	0
FR 30/6/2016	34,488	16,482	13,618	3,045	4,011	6,355	2,221	7,192	Abolished	Abolished	Abolished	87,412	87,412	0
AR 31/12/2016	36,858	16,396	18,172	Abolished	Abolished	5,941	3,095	6,744	Abolished	Abolished	Abolished	87,206	87,206	0

¹ Technical, Administrative, Professional Staff and Gas Industry Branch.

² Annual Return figures for 31 December 2005 and 31 December 2006 were stated to be for 1 January 2006 and 1 January 2007 respectively.

³ The Queensland Branch's Operating Report stated there were 45,250 members as at 30 June 2006 but an Accounting Officer's Certificate lodged for the Queensland Branch and the Queensland State registered AWU ('The Australian Workers' Union of Employees, Queensland') stated there were 45,250 financial members and 4,457 unfinancial members (which totals 49,707).



FairWork
Commission

30 March 2017

Mr Scott McDine
National Secretary
The Australian Workers' Union

(by email)

CC: Ben Davis; Mike Zoetbrood

Dear Mr McDine,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders of The Australian Workers' Union.

This information was lodged with the Fair Work Commission (the Commission) 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
23/03/2017	Victorian Branch	Branch Organiser – Branch Executive Committee Member
23/03/2017	Victorian Branch	Branch Executive Committee Member
23/03/2017	Western Australian Branch	Branch Committee of Management Member

Please note that the RO Act requires that a notification of change must be lodged within 35 days of the change occurring. The notification indicates that the changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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.

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Carolyn Moloney
Regulatory Compliance Branch

**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@nat.awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Daniel Walton National Secretary



ABN 28 853 022 982

22 March 2017

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union, Victorian Branch and West Australian Branch.

Yours faithfully,

Daniel Walton
NATIONAL SECRETARY

(attachments x 2)

**STRONGER
TOGETHER**

BRIAN BRANCH
600 Bence Street, West Melbourne VIC 3208
T: (03) 8327 0888 F: (03) 8327 0889
E: b@awu.net.au W: www.vic.awu.net.au
Cal
Ben



SSN 47400610001

20 March 2007

Mr Daniel Watson
National Secretary
The Australian Workers' Union
377-383 Sussex Street
SYDNEY NSW 2000

Dear Daniel,

Notification of Changes to Records

I have enclosed a Notification of Changes to Records Declaration for your information.

If you require any further information please let me know.

Yours truly,

Ben Kane

BEN KANE

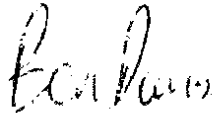
SECRETARY

**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, Ben Davis, being the Branch Secretary of The Australian Workers' Union, Victorian Branch,
declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in
the records required to be kept by the organisation in accordance with s.230(1)(b),(c),and
(d) of the *Fair Work (Registered Organisations) Act 2009*:
 - A list of changes to offices and the names, postal addresses and occupations of
persons holding those offices is attached to this declaration at Annexure A and
forms part of this declaration.

Signed:



Dated:

26/3/11

ANNEXURE A

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

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	Occupation of <u>New</u> Office Holder
Victorian	8.7.2016 (Retired) 5/12/2016 (Appointed)	Victorian Branch Organiser – Branch Executive Committee Member (full time)	Dick Stomps	Retired	Patrick Wood	c/- The Australian Workers' Union Victorian Branch, 685 Spencer Street, West Melbourne, Victoria, 3003	Union Official
Victorian	16.12.2015 (Resigned) 5.12.2016 (Appointed)	Branch Executive Committee Member (Honorary)	Susan Carey	Resigned	Vanessa Garbett	c/- The Australian Workers' Union Victorian Branch, 685 Spencer Street, West Melbourne, Victoria, 3003	Manufacturing Worker

**STRONGER
TOGETHER**

WEST AUSTRALIAN BRANCH
PO Box 8122 Perth Business Centre, WA 6849
Level 3, 25 Barrack Street, Perth WA 6000
T: (08) 9221 1886 F: (08) 9221 1706
W: www.wa.awu.net.au E: admin@awuwa.asn.au
ABN 23 613 523 184
MIKE ZOETBROOD Branch Secretary



22 March 2017

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10
377-383 Sussex Street
SYDNEY NSW 2000

Dear Daniel

**Re: The Australian Workers' Union, West Australia Branch
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of changes of elected positions within The Australian Workers' Union, West Australian Branch.

Yours faithfully

Mike Zoetbrood
BRANCH SECRETARY

~~20. Information on changes to records (change to records in the annual return)
required to be kept in accordance with section 23 Fair Work (Registered Organisations)
Act 2009 and regulation 17 Fair Work (Registered Organisations) Regulation 2009~~

~~I, Mike Zednood, being the Branch Secretary of The Australian Workers Union West Australian
Branch, declare the following:~~

~~21. I am authorised to make this declaration.~~

~~22. 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 23 (1), (2) and (3) of
the Fair Work (Registered Organisations) Act 2009:~~

~~= All of changes to office and the names, postal addresses and occupations of
persons holding those offices is attached to this declaration as Annexure A and forms
part of this declaration.~~

~~Signer:~~

~~[Signature]~~

~~Date:~~

~~22/11/2017~~

"ANNEXURE A"

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	Occupation of <u>New</u> Office Holder
<i>West Australian</i>	<i>7.10.2016 Resigned</i>	<i>Branch Committee Member</i>	<i>Matt Dixon</i>	<i>Resigned</i>	<i>Bishir Ahmed</i>	<i>C/O PO Box 8122 Perth Business Centre Perth WA 6849</i>	<i>Food Manufacturing Worker</i>
	<i>16.12.2016 (appointed)</i>						

**STRONGER
TOGETHER**

NATIONAL OFFICE
101 Sussex Street Sydney NSW 2000
1321 F (02) 8005 3300
www.awu.net.au W: www.awu.net.au
1800 855 653
National Secretary



21 March 2017

Mr Chris Enright
Director - Regulatory Compliance Branch
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3001

Dear Mr Enright

Re: Concerns about the validity of AWU membership reporting AR2016-161

I refer to previous correspondence regarding the above matter.

In your last correspondence you requested the AWU to advise what steps had been taken to remedy membership differences between the Annual Return and Financial Report for the period highlighted.

Attached to this letter is a document prepared by the AWU's National Office Financial Controller in relation to his work in reviewing the membership numbers reported in each document. It outlines the basis for the review, the methodology used and the documents examined. It also includes a recommendation on the action to be taken to remedy any differences identified.

I also note that the FWC is currently conducting an investigation (INV2016/5) into certain referrals made by the Trade Union Royal Commission. As you are aware, an aspect of the FWC investigation relates to the members' register in the AWU Vic Branch.

The work conducted by the AWU's National Office Financial Controller has not sought to deal with the matters, which are presently the subject of the FWC investigation. The AWU will of course further consider these matters after the FWC investigation and/or any subsequent processes.

It is the intention of the AWU to provide the relevant remedy documents referred to under the heading "Remedy of Discrepancies" in the attached audit report for lodgement and uploading on to the Fair Work Commission's website

Please confirm that this approach is acceptable.

Yours faithfully

Daniel Walton
NATIONAL SECRETARY

MEMBERSHIP REPORTING

INTERNAL AUDIT PERIOD 2009-2015

BACKGROUND

In their letter of 15 November 2016, the Regulatory and Compliance Branch (**RCB**) of the Fair Work Commission (**FWC**) identified discrepancies in membership reporting by the AWU National Office for the period 2009-2015.

The discrepancy identified by the RCB was that AWU membership numbers as at 30 June, reported in the General Purpose Operating Report (**Financial Report**) were identical to the membership numbers reported in the immediately previous **Annual Return**.

The AWU acknowledged this discrepancy in its response in its letter of 25 November 2016, noting an incorrect practice of replicating Annual Return membership numbers in the subsequent Financial Report.

In its acknowledgement, of the AWU's response, on 20 December 2016 RCB requested that AWU prepared to conduct an internal audit.

On 2 March 2017, the AWU National Executive resolved to conduct the internal audit.

The RCB in its letter of 6 March 2017 requests a response on the actions AWU planned to take to resolve the discrepancies and if an audit is proposed

- How the audit is to be conducted, including its terms of reference;
- The documents such an audit would examine
- How correct figures may be verified; and
- The proposed completion date

AUDIT & TERMS OF REFERENCE

TERMS OF REFERENCE

The purpose of the internal audit will be to identify AWU membership numbers for necessary amended reporting to RCB for the period 2009-2015.

The process undertaken by the AWU National Office Financial Controller is outlined below.

ANNUAL RETURN

- The AWU's Annual Return was examined for the reporting periods ending 31 December 2009-2015
- The Annual Return membership numbers were referenced to all contemporaneous supporting documentation provided to the National Office by each Branch in support of their membership numbers reporting.
The number of members identified by this process for the purposes of the Annual Return was recorded in a **Reconciliation document (Attachment A – Annual Report Table)**

FINANCIAL REPORTS – General Purpose Financial Reports

- The audited General Purpose Financial Reports of each Branch (Reporting Unit) of the AWU will be examined for the financial years ended 30 June 2009-2015
- The number of members reported in the Branch Executive Committee Operating Report and Statement will be recorded in a **Reconciliation document (Attachment A – Financial Report Table)**

VARIANCES AND COMMENTARY

- All variances between those reported in the Financial Reports of each Branch and those reported in the National Office Financial Report have been recorded in the **Reconciliation document (Attachment A)**
- Commentary was included in the **Reconciliation document** where the reasons for any variances were known

AUDIT PERIOD

The Internal audit was conducted from March 6th - 17th 2017

REMEDY OF DISCREPANCIES

It is proposed that the AWU provide FWC a separate statement for each of the Financial years impacted; 30 June 2009-2015, which is to be read in conjunction with the Financial Report for that financial year which restates the membership numbers reported in that Financial year.

ATTACHMENT

Filings - No of Members - Annual Returns & Audit Reports filed with Industrial Registrar / FWC

	Newcastle	Greater NSW	Port Kembla	Queensland	South Australia	Tasmania	Victoria	West Australia	Whyalla - Woomera	Tobacco	TOTAL	National Office	Variance	Ref
FINANCIAL REPORT														
30-Jun-09	4,972	15,423	4,472	55,964	7,350	2,292	23,969	5,604	813	337	121,196	120,393	803	1
30-Jun-10	5,075	14,619	4,279	55,075	7,158	2,328	26,782	6,132	0	212	121,660	129,981	(8,321)	2
30-Jun-11	5,381	15,880	4,301	61,040	7,352	2,451	28,161	6,589	0	192	131,347	132,956	(1,609)	3
30-Jun-12	5,264	16,222	4,310	62,726	7,504	2,571	28,852	6,575	0	150	134,174	139,329	(5,155)	4
30-Jun-13	4,847	16,319	3,437	46,026	7,274	2,583	26,697	7,018	0	155	114,356	121,448	(7,092)	5
30-Jun-14	4,326	15,668	3,278	49,677	7,136	2,499	20,051	6,964	0	0	109,599	120,289	(10,690)	6,7
30-Jun-15	4,101	14,015	3,080	38,210	6,884	2,386	17,318	7,220	0	0	93,214	92,789	425	8
ANNUAL REPORT														
31-Dec-09	5,540	17,017	4,954	56,908	8,163	2,819	28,699	5,529	0	352	129,981	129,981	0	
31-Dec-10	5,402	15,094	4,205	60,880	7,208	3,369	30,433	5,918	0	447	132,956	132,956	0	
31-Dec-11	5,903	16,203	4,301	63,788	7,352	3,404	31,752	6,305	0	321	139,329	139,329	0	
31-Dec-12	6,118	16,047	3,250	47,248	7,536	3,439	30,890	6,721	0	199	121,448	121,448	0	
31-Dec-13	6,048	16,161	3,481	50,306	7,248	3,358	26,768	6,919	0	0	120,289	120,289	0	
31-Dec-14	5,229	14,728	3,067	44,569	6,964	3,367	18,683	7,071	0	0	103,678	103,678	0	
31-Dec-15	4,900	14,527	3,019	40,647	6,671	3,295	18,683	7,021	0	0	98,763	98,763	0	

1 Reporting excluded the Whyalla - Woomera figures and included/excluded a typographical error of 10

2-6 Figures used in the National Office Financial Report were those from the prior December's Annual Return

7 The National Office figure 120,289 was corrected to 109,599 in the June 2015 FR comparative

8 Port Kembla provided a figure of 2655 when National Office Financial Report was being prepared and this was subsequently reported in their Financial Report as 3080.



6 March 2017

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street
Sydney NSW 2000

By email: members@nat.awu.net.au & daniel.walton@nat.awu.net.au

Dear Mr Walton,

Concerns about the validity of AWU membership reporting AR2016/161

I refer to previous correspondence, including my letter dated 20 December 2016, regarding what the AWU has conceded to be inaccurate historical membership reporting.

As you would be aware, the Fair Work Commission (**FWC**) takes the statutory reporting obligations of registered organisations seriously, particularly when inaccuracies in that reporting may amount to contraventions of the *Fair Work (Registered Organisations) Act 2009* (the **RO Act**).

As previously advised, the acknowledgement of membership reporting discrepancies in your letter dated 25 November 2016 (while welcomed) did not, of itself, resolve the matter. The intention of my letter was to articulate that the FWC expects instances of incorrect membership data – which give rise to potential contraventions of the RO Act – to be remedied.

I had anticipated that the expectations of the FWC were clear when I provided the following in my letter of 20 December 2016:

'The Commission takes the statutory reporting obligations of registered organisations seriously and in these circumstances, expects that potential contraventions of the RO Act, at the least between 2009 and 2014 are remedied.'

The purpose of this letter is to ascertain what steps have been taken by the AWU to remedy its inaccurate membership deficiencies, at the least between 2009 and 2014 and what the outcomes of those steps have been.

If the AWU has not yet remedied the membership reporting deficiencies, please advise, **by 21 March 2017**, what steps the AWU proposes to take to resolve the question of membership reporting discrepancies.

If an audit is proposed, please outline:

- how the audit is to be conducted, including its terms of reference;
- the documents that such an audit would examine;
- how correct membership figures may be verified; and
- the proposed completion date.

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Internet : www.fwc.gov.au

I indicated in my earlier correspondence that there are a range of regulatory options open to ensure that the AMU meets its statutory reporting obligations and that if it becomes necessary, the FWC will consider those options so that members of the AMU, other registered organisations and the community more broadly are able to have confidence in the AMU's statutory membership reporting.

Consistent with the comment in your 25 November 2016 letter that the AMU would be pleased to discuss this matter, I confirm that my staff and I are available to discuss any aspect of this issue.

I can be contacted on the details provided above.

Yours Sincerely,

A handwritten signature in blue ink, appearing to be 'CH', with a large loop on the left and a horizontal stroke on the right.

Chris Enright

Director

Regulatory Compliance Branch

Fair Work Commission

chris.enright@fwc.gov.au



20 December 2016

Mr Ben Swan
Branch Secretary

The Australian Workers' Union - Queensland Branch
Email: secretary@awu.org.au

Dear Mr Swan,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders.

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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
16 December 2016	Queensland	Elected Delegate (Branch Delegates' Meeting) X2
16 December 2016	Queensland	Elected Branch Organiser X2

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au



20 December 2016

Mr Daniel Walton
National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street
Sydney NSW 2000

(by email)

Dear Mr Walton,

Concerns about the validity of AWU membership reporting AR2016/161

On 25 November 2016 I acknowledged your letter responding to concerns about the validity of AWU membership reporting in AR2016/161. I advised that the contents of your response would be considered and a detailed response provided.

A number of significant priorities are currently impacting on the Regulatory Compliance Branch (**RCB**) of the Fair Work Commission (the **Commission**) not least of which is the focus on a transition to a Registered Organisations Commission, work being conducted on transitionally registered associations which expire on 31 December 2016 and the release of an online permit application form on 21 December 2016. I apologise that attention to these and other issues have not yet enabled a proper consideration of your response to concerns about the validity of AWU membership reporting in AR2016/161.

I propose to return to the AWU membership issue as soon as possible but in the meantime, I provide some preliminary observations for your consideration.

- The RO Act sets out the standards required of registered organisations, including that they be efficiently and effectively managed by demonstrating high standards of accountability to their members;
- The Commission's concerns about what you have conceded to be inaccurate historical membership reporting in contravention of the *Fair Work (Registered Organisations) Act* 2009 (the **RO Act**) are not resolved merely by your acknowledgement of error;
- The Commission takes the statutory reporting obligations of registered organisations seriously and in these circumstances, expects that instances of incorrect membership data giving rise to potential contraventions of the RO Act, at the least between 2009 and 2014 are remedied;
- I note your explanation of error by the previous Financial Controller and also note that it is the statutory responsibility of designated officers to conduct due diligence to ensure the correct membership numbers are reported before certifying they are correct.

There are a range of regulatory options open to the Commission to ensure that the AWU meets its statutory reporting obligations and the Commission intends to consider those options to ensure that members of the AWU, other registered organisations and the community more broadly are able to have confidence in the AWU's membership reporting. The Commission does not currently have a sufficient level of confidence in the statutory membership reporting of the AWU.

In your letter of 25 November 2016, you included the following:

'We hope this resolves your concerns about the AWU historical membership reporting. However, if you consider that there is remedial action that the AWU should take to correct this error, we would be pleased to discuss this matter with you.'

It will be clear from this interim response that the concerns of the Commission are not resolved by a mere acknowledgement of error. As I indicated above, I propose to return to this issue as soon as possible. In the meantime, I request that the AWU begins immediate preparations to conduct an internal audit of its membership, for both financial and calendar year periods, between 2009 and 2014 inclusive for the purpose of correcting the errors.

Should you wish to discuss this matter in the meantime, I can be contacted on the details provided below.

Yours Sincerely

A handwritten signature in blue ink, appearing to be 'CE', with a small dot at the end.

Chris Enright

Director

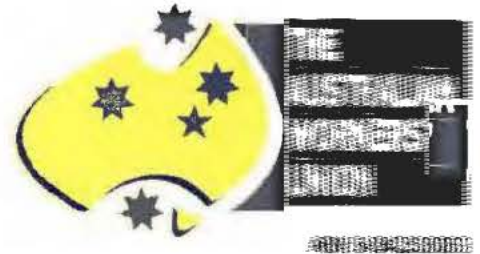
Regulatory Compliance Branch

Fair Work Commission

chris.enright@fwc.gov.au

STRONGER TOGETHER

AWUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4000
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



ARN154942560000

15 December 2015



Fair Work Commission
Queensland

Fair Work Commission

SUBJECT: THE AUSTRALIAN WORKERS' UNION, QUEENSLAND BRANCH - ELECTIONS

Please see attached an updated list of Elected Officers of The Australian Workers' Union, Queensland Branch, as at 15 December 2015.


PETER SWAN
Secretary

Secretary: Peter Swan

The Australian Workers' Union, Queensland Branch
The Australian Workers' Union of Employees, Queensland

www.qldawu.net.au

Role:	Member:	Access Approval / Date Closed:
Executive Secretary	Barbara	01/07/2016
Executive Secretary	Marina Schneider	03/04/2016
Executive Secretary	Steve Baker	01/07/2016
	Robert Allen	01/07/2016
	Tony Jones	03/04/2016
Executive Secretary	Robert Allen	01/07/2016
	Tony Jones	01/07/2016
	Steve Baker	01/07/2016
	Tony Jones	01/07/2016
	Basil Harding	03/04/2016
	Tony Jones	27/05/2016
	David Price	01/07/2016
Executive Secretary/Member	Robert Schneider	01/07/2016
	Robert Allen	01/07/2016
	Tony Jones	01/07/2016
	Steve Baker	01/07/2016
	Tony Jones	01/07/2016
	Barbara	01/07/2016
	Marina Schneider	01/07/2016
	Tony Jones	01/07/2016
	Paul Robertson	01/07/2016
	David Price	01/07/2016
	Basil Harding	03/04/2016
	Tony Jones	27/05/2016
Executive Secretary/Member	Barbara	01/07/2016
	Steve Baker	01/07/2016
	Robert Schneider	01/07/2016
	Tony Jones	01/07/2016
	Tony Jones	29/04/2016
Executive Secretary (Executive Secretary/Member)	Clifford Smith	01/07/2016
	Tony Jones	01/07/2016
	Steve Baker	01/07/2016
	Robert Jones	01/07/2016
	Clifford (H) Harrison	01/07/2016
	Paul Robertson	01/07/2016
	Steve Wilson	01/07/2016
	Wally Sullivan	01/07/2016
	Tony Jones	01/07/2016
	Marina Schneider	01/07/2016
	Steve White	01/07/2016
	John White	18/03/2016
	Matthew White	01/07/2016
	Wally White	27/05/2016
	Linda Thompson	10/11/2016
	David Anderson	18/03/2016
	David Foster	12/05/2016
	Steve Hill	18/05/2016
	Adam Baker	12/02/2016
	James Thompson	10/02/2016
Executive Secretary/Member	Steve Baker	01/07/2016
	Robert Allen	01/07/2016
	Tony Jones	01/07/2016
	David Jones	01/07/2016
	Robert Jones	01/07/2016
	Robert Schneider	01/07/2016
	Clifford (H) Harrison	01/07/2016
	Paul Robertson	01/07/2016
	Tony Jones	01/07/2016
	Steve Baker	18/04/2016
	Steve Wilson	01/07/2016
	David Anderson	20/05/2016
	Basil Harding	18/03/2016
	Barbara	01/07/2016

Erica Anderson	12/17/2016
Cathy Asentik	12/17/2016
Wally Sutton	12/17/2016
Therri Cross	12/16/2016
John Wilson	12/16/2016
Wally Sutton	12/16/2016
David Finner	12/16/2016
Therri Cross	12/17/2016
Robert Cannon	12/17/2016
Chris Hill	12/16/2016
David (the) Harrison	12/17/2016
Cathy Asentik	12/17/2016
Robert Sutton	12/17/2016
Edward Wilson	12/17/2016
David Harrison	12/17/2016
Robert Cannon	12/17/2016
Therri Cross	12/17/2016
John Cannon	12/17/2016
John Wilson	12/17/2016
Wally Sutton	12/17/2016
Wally Sutton	12/17/2016



FairWork
Commission

12 December 2016

Mr Daniel Walton
National Secretary

Email: members@nat.awu.net.au

Dear Mr Walton,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders.

This information was lodged with the Fair Work Commission (the Commission) 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
2 December 2016	National Executive	National Secretary
2 December 2016	National Executive	Assistant National Secretary
2 December 2016	National Executive	National Vice-President

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Friday, 2 December 2016 9:43 AM
To: Orgs
Cc: HALL, James
Subject: Notice of changes made to records kept
Attachments: 161201- Correspondence to FWC re Changes to Elected Positions.pdf

Categories: RIA

Dear Sir / Madam

Please find attached Notice of changes made to records kept under s 230 (1) (c).

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | d.02 8005 3311 f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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TOGETHER**

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T: (02) 8005 3333 F: (02) 8005 3300
E: members@nat.awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Daniel Walton National Secretary



ABN 28 853 022 982

1 December 2016

The Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.gov.au

Dear Sir or Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union.

Yours faithfully,

Daniel Walton
NATIONAL SECRETARY

1 December 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 30 November 2016:

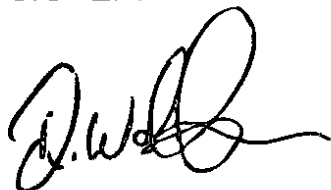
NATIONAL SECRETARY: Scott McDine resigned and Daniel Walton was appointed

ASSISTANT NATIONAL SECRETARY: Daniel Walton resigned and Michael (Misha) Zelinsky was appointed

NATIONAL VICE-PRESIDENT: Michael (Misha) Zelinsky resigned and the position was left vacant.

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, appearing to read 'D. Walton', with a stylized flourish extending from the end.

Daniel Walton
NATIONAL SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Daniel Walton, of Level 10, 377 – 383 Sussex Street, Sydney in the State of New South Wales, National Secretary of The Australian Workers' Union, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the National Secretary of The Australian Workers' Union (AWU).
2. On 17 November 2016 the following person resigned from their Office in the AWU:

Scott McDine as National Secretary
3. On 30 November 2016 the following persons resigned from their Office in the AWU:

Daniel Walton as Assistant National Secretary
Michael (Misha) Zelinsky as National Vice-President
4. The AWU National Executive is authorised by Rule 25 (1) (n) and Rule 65 (1) (a) of the AWU Rules to fill vacancies in National Office elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
5. The resigning officials commenced their Offices on 1 July 2013 and term of their Offices is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
6. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and National Executive is authorised to make appointments to the vacant positions.
7. All members of the AWU National Executive were properly notified that a meeting of the National Executive would be convened on 30 November 2016.
8. During this National Executive meeting on 30 November 2016, the National Executive appointed the following persons to fill the specified vacant Offices in National Office:

Daniel Walton as National Secretary
Michael (Misha) Zelinsky as Assistant National Secretary

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the National Executive meeting on 30 November 2016.

9. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU National Office as a result of the appointments on 30 November 2016.
10. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Sydney on this 1st day of December 2016.

DEPONENT



Daniel Walton
**NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION**

BEFORE ME

NAME

AUTHORITY TO WITNESS

SIGNATURE

Debra Bushell

Justice of the Peace JP147535



**MINUTES OF MEETING OF THE NATIONAL EXECUTIVE
OF THE AUSTRALIAN WORKERS' UNION
HELD AT THE AWU NEW SOUTH WALES BRANCH BOARDROOM
16-20 GOOD STREET, GRANVILLE
WEDNESDAY 30 NOVEMBER 2016**

Resignation of National Secretary

National President, B. Ludwig, read out correspondence received from National Secretary, S. McDine:

"I wish to formally advise of my resignation from the office of National Secretary of The Australian Workers' Union effective as from 17 November 2016."

Moved R. Collison, seconded W. Hanson: "The correspondence be received."

CARRIED

Resignation of Assistant National Secretary

National President, B. Ludwig, read out correspondence received from Assistant National Secretary, D. Walton:

"I wish to formally advise of my resignation from the office of Assistant National Secretary of The Australian Workers' Union effective as from 30 November 2016"

Moved R. Collison, seconded W. Hanson: "The correspondence be received."

CARRIED

Appointment of National Secretary

Moved R. Collison, seconded W. Hanson:

"The National Executive accepts the resignation of Scott McDine from the office of National Secretary with effect from 17 November 2016 and accepts the resignation of Daniel Walton from the office of Assistant National Secretary with effect from 30 November 2016.

"In accordance with Rule 65 of the AWU Rules, the National Executive hereby elects Daniel Walton as the National Secretary of The Australian Workers' Union effective immediately and for the remainder of the Term of Office."

CARRIED UNANIMOUSLY

Resignation of National Vice-President

National President, B. Ludwig, read out correspondence received from National Vice-President, M. Zelinsky:

"I wish to formally advise of my resignation from the office of National Vice-President of The Australian Workers' Union effective as from 30 November 2016."

Moved R. Collison, seconded W. Hanson: "The correspondence be received."

CARRIED

Appointment of Assistant National Secretary

Moved R. Collison, seconded W. Hanson:

"The National Executive accepts the resignation of Michael (Misha) Zelinsky from the office of National Vice-President with effect from 30 November 2016.

"In accordance with Rule 65 of the AWU Rules, the National Executive hereby elects Michael (Misha) Zelinsky as the Assistant National Secretary of The Australian Workers' Union effective immediately and for the remainder of the Term of Office."

CARRIED UNANIMOUSLY

Appointment of National Vice-President

Moved R. Collison, seconded W. Hanson:

"In accordance with Rule 65 of the AWU Rules, the National Executive hereby elects to have the position of National Vice-President of The Australian Workers' Union be left vacant until the remainder of the Term of Office."

CARRIED UNANIMOUSLY

List of Offices / List of Office Holders**THE AUSTRALIAN WORKERS' UNION**
2016 NATIONAL EXECUTIVE

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY) x 7	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
	Marina Chambers GPO Box 88 Brisbane QLD 4000	Union Official
	Vacant	
NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Misha Zelinsky Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
NATIONAL EXECUTIVE MEMBERS	Ben Swan GPO Box 88 Brisbane QLD 4001	Union Official
	Steve Baker	Union Official

GPO Box 13
Brisbane QLD 4001

Troy Spence PO Box 88 Brisbane QLD 4001	Union Official
---	----------------

Peter Gunsberger PO Box 738 Innisfail QLD 4860	Union Official
--	----------------

Tracey Sharpe PO Box 508 Toowoomba QLD 4350	Union Official
---	----------------

Russ Collison PO Box 20 Granville NSW 2142	Union Official
--	----------------

Paul Noack PO Box 20 Granville NSW 2142	Union Official
---	----------------

Paul Farrow PO Box 20 Granville NSW 2142	Union Official
--	----------------

Anthony Callinan PO Box 226 Mayfield NSW 2304	Union Official
---	----------------

Wayne Phillips PO Box 1506 Wollongong NSW 2500	Union Official
--	----------------

Ben Davis 685 Spencer Street West Melbourne VIC 3003	Union Official
--	----------------

Gavin Penn 685 Spencer Street West Melbourne VIC 3003	Union Official
---	----------------

Jimmy Mastrandonakis 685 Spencer Street West Melbourne VIC 3003	Union Official
---	----------------

Ian Wakefield PO Box 129 North Hobart Tas 7002	Union Official
--	----------------

Peter Lamps
GPO Box 2577
Adelaide SA 5001

Union Official

Stephen Price
PO Box 8122
Perth Business Centre
Perth WA 6849

Union Official

Mike Zoetbrood
PO Box 8122
Perth Business Centre
Perth WA 6849

Union Official

MOLONEY, Carolyn

Subject: FW: AWU Membership Reporting

From: ENRIGHT, Chris
Sent: Friday, 25 November 2016 4:45 PM
To: 'Debra Bushell'
Subject: RE: AWU Membership Reporting

Dear Ms Bushell,

I acknowledge receipt of the correspondence dated 25 November 2016 and signed by Mr Walton in his position as the Acting National Secretary.

The Fair Work Commission proposes to consider the contents of the letter before responding in detail.

Regards

CHRIS ENRIGHT
Director
Regulatory Compliance Branch

Fair Work Commission
Tel: 03 8656 4680
Mobile: 0417 311 380
Fax: 03 9655 0401
chris.enright@fwc.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

www.fwc.gov.au

From: Debra Bushell [REDACTED]
Sent: Friday, 25 November 2016 2:47 PM
To: ENRIGHT, Chris
Subject: AWU Membership Reporting

Dear Mr Enright

Please find attached correspondence from AWU Acting National Secretary Daniel Walton.

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | d.02 8005 3311 f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

25 November 2016

Mr Chris Enright
Director
Regulatory Compliance Branch
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Via email: chris.enright@fwc.gov.au

Dear Mr Enright

Re: Concerns about the validity of AWU membership reporting – AR2016-161

Thank you for your extension to allow us to further consider the information raised in your letter dated 15 November 2016.

The AWU acknowledges that the membership number reported in the Financial Reports reflected the membership number reported in the Annual Reports for the periods specified. We note that this occurred in periods in which the AWU's membership numbers were growing and also declining.

The preparation of the Financial Reports was delegated to the Financial Controller of the AWU. The Financial Reports for 2009 – 2013 were prepared by a Financial Controller who is no longer employed by the AWU.

In relation the financial report for 2014, this financial report was prepared by the current AWU Financial Controller. He had commenced employment with the AWU in April 2014 and prepared the 2014 financial report which was lodged in December 2015. In preparing this Financial Report, he reviewed the previous Financial Reports and Annual Reports and noted that the previous Financial Reports had replicated the membership number of the immediately prior Annual Report. In light of this, he continued this practice for the 2014 Financial Report.

In 2015, the AWU revised its reporting of membership numbers for the 2015 Financial Report. In that regard, it obtained information of AWU membership numbers of its individual branches as at 30 June 2015. Consequently, the AWU membership numbers reported in the 2015 Financial Report reflects a compilation of branch membership numbers as June 2015.

The AWU acknowledges that there is an error in its historic membership numbers recorded in its Financial Reports for June 2009 – 2014. However, in 2015, it optimised its reporting on membership numbers in the 2015 Financial Report. Furthermore, it has had the benefit of the FWC's detailed review of its financial reporting conducted in respect of its 2015 Financial Report. As, you will be aware, arising from this detailed review, the AWU further improved its financial reporting for 2015. These improvements are also incorporated in the 2016 Financial Report.

We hope this resolves your concerns about the AWU historical membership reporting. However, if you consider that there is remedial action that the AWU should take to correct this error, we would pleased to discuss this matter with you.

Yours sincerely,

Daniel Walton
ACTING NATIONAL SECRETARY

MOLONEY, Carolyn

From: ELLIOTT, Mark
Sent: Tuesday, 22 November 2016 5:27 PM
To: 'misha.zelinsky@nat.awu.net.au'
Subject: FW: Correspondence received - AR2016/161

Good afternoon Misha,

Thank you for your email below. The Delegate has considered your request and decided to approve it. Please submit your response to his 15 November 2016 correspondence by COB Friday 25 November 2016.

Regards,

Mark Elliott
Regulatory Compliance Branch

Fair Work Commission
Tel: 03 8656 4687
Fax: 03 9655 0410
mark.elliott@fwc.gov.au
11 Exhibition Street, Melbourne, Victoria 3000
GPO Box 1994, Melbourne, Victoria 3001

www.fwc.gov.au

Please be aware my telephone number has changed. My new phone number is 03 8656 4687. Please update your records accordingly

From: Misha Zelinsky [<mailto:misha.zelinsky@nat.awu.net.au>]
Sent: Tuesday, 22 November 2016 2:23 PM
To: ENRIGHT, Chris
Cc: mark.elliott@fwc.gov.au; Debra Bushell
Subject: Correspondence received - AR2016/161

Dear Chris

Thank you for your correspondence received 15 November 2016. I refer to a telephone conversation with Mark Elliot earlier today, 22 November 2016.

As you may be aware, the AWU has recently had some internal changes of leadership.
<https://www.awu.net.au/news/statement-scott-mcdine-21-november-2016>

On this basis, we are seeking a short extension of time in order to respond to your inquiry. We can provide a response to your letter by COB Friday 25 November 2016.

Please let me know if there is any issue with the above.

We appreciate your patience and assistance in this matter.

Thank you in advance.

Misha Zelinsky

MOLONEY, Carolyn

From: VALE, David
Sent: Wednesday, 16 November 2016 11:41 AM
To: 'debra.bushell@nat.awu.net.au'
Subject: FW: AWU membership reporting AR2016/161
Attachments: Correspondence to FWC re AWU membership reporting AR2016-161.pdf

Dear Debra

The Delegate consents to the request from Mr McDine for an extension until 22 November 2016 to respond to yesterday's correspondence.

Yours sincerely

DAVID VALE

Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission

Tel: 02 9308 1970 (Please note my telephone number has recently changed. Please update your records).

Fax: 02 9380 6990

david.vale@fwc.gov.au

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011
www.fwc.gov.au

From: Debra Bushell [[mailto:](mailto:debra.bushell@nat.awu.net.au)]
Sent: Wednesday, 16 November 2016 10:58 AM
To: ENRIGHT, Chris
Subject: AWU membership reporting AR2016/161

Dear Mr Enright

Please find attached correspondence from Mr Scott McDine.

Kind regards

Debra Bushell

Personal Assistant to the National Secretary

The Australian Workers' Union

Level 10, 377-383 Sussex Street, Sydney, NSW 2000

p.02 8005 3333 | d.02 8005 3311 f.02 8005 3300 | m.0412 431 352

debra.bushell@nat.awu.net.au | www.awu.net.au

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Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 882

16 November 2016

Mr Chris Enright
Director
Regulatory Compliance Branch
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Via email: chris.enright@fwc.gov.au

Dear Mr Enright

**RE: Concerns about the validity of AWU membership reporting
AR2016-161**

We acknowledge receipt of your letter of 15 November 2016 regarding the above.

Given the matters raised we request extension to respond until Tuesday 22 November 2016, to allow my staff and I sufficient time to fully review the information relating to your requests and to be able to provide you with the appropriate responses.

Yours faithfully

Scott McDine
NATIONAL SECRETARY

From: Orgs
Sent: Tuesday, 15 November 2016 2:53 PM
To: [REDACTED]
Cc: 'members@awu.net.au'
Subject: AWU membership reporting – AR2016/161
Attachments: Letter sent to AWU_15 November 2016.docx

Dear Mr McDine

Please find attached correspondence from Mr Chris Enright.

Regards

Michael Moutevelis
Regulatory Compliance Branch

Fair Work Commission
Tel: (02) 9308 1974
Fax: (02) 9380 6990
michael.moutevelis@fwc.gov.au

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

www.fwc.gov.au



FairWork
Commission

15 November 2016

Mr Scott McDine
National Secretary
Australian Workers Union
Level 10, 377 Sussex Street
SYDNEY NSW 2000

By email - [REDACTED] & members@awu.net.au

Dear Mr McDine,

Concerns about the validity of AWU membership reporting – AR2016/161

Since 2015, the Regulatory Compliance Branch (RCB) of the Fair Work Commission (FWC) has been actively seeking to develop a better understanding of entities registered under the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

An area of interest for the RCB is the reporting of membership of registered organisations. As you would be aware, there are obligations on registered organisations to report membership numbers as part of the annual return of information required to be lodged with the FWC by 31 March each year as well as separate obligations to report financial membership numbers as part of the requirement to lodge an operating report at the conclusion of each financial year.

In 2015, the RCB commenced research into a range of matters associated with the requirements in the RO Act for registered organisations to maintain a register of members and to report membership to the FWC. As part of that research, the FWC requested the AWU to complete a survey / questionnaire to assist the regulator to better understand how its membership registers are populated, maintained and purged and the circumstances in which a person is recorded as a member of the registered organisation.

The AWU elected not to complete the FWC survey /questionnaire. Consequently the RCB's understanding of the AWU's situation is more limited than its understanding of the many other Unions who participated in its survey.

Since 2015, concerns have emerged about the validity of membership reporting to FWC as a result of the identification of serious and systemic inaccurate membership reporting by a separate registered organisation. This has resulted in the RCB commencing a review of historical membership data of other federally registered organisations.

I have conducted a preliminary review of AWU membership data from Annual Returns and Financial Reports between 2009 and 2015 and I provide the table below based on that review:

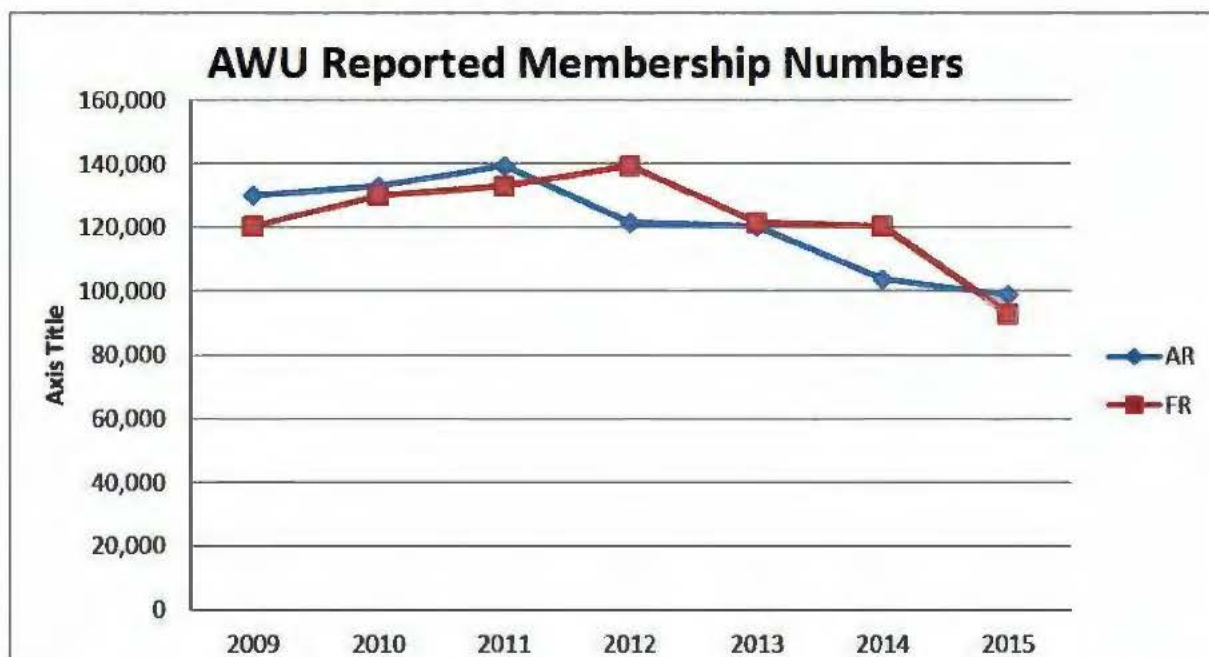
Table1: AWU membership from Annual Returns and Financial Reports

AWU	2009	2010	2011	2012	2013	2014	2015
AR	129,981	132,956	139,329	121,448	120,289	103,678	98,763
FR	120,393	129,981	132,956	139,329	121,448	120,289	92,798

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

Telephone: (03) 8661 7777
International: (613) 8661 7777
Facsimile: (03) 9655 0401
Email: orgs@fwc.gov.au

Table 2: AWU membership trend over time



Preliminary analysis

It has emerged from my preliminary analysis of reported membership data, that between 2009 and 2014, the AWU financial report (FR) for each year cited the exact number of members from the previous Annual Return (AR). For example, in the June 2014 FR the union reported 120,289 members. The identical number as had been reported in the AR for 31 December 2013. This pattern has occurred in each of the years between 2009 and 2014.

The AWU has a financial year which ends on 30 June and it is of course inherently unlikely that the number of financial members of any registered organisation, including the AWU as at 30 June each year would be exactly the same as the number of members as at 31 December the preceding year over a period of years. The reported declining trend in membership in Table 2 adds weight, in my view, to that inherent unlikelihood. I note that the pattern operating between 2009 to 2014 inclusive, appears to have changed for the 2015 reporting period.

While I do not propose to speculate about what might have been occurring at this stage, I advise that the integrity of AWU historical membership reporting has become an issue.

Statutory reporting

Section 5 of the RO Act sets out the intention of Parliament to, among other things:

- ensure that employer and employee organisations registered under the RO Act are representative of and accountable to their members, and are able to operate effectively;
- encourage members to participate in the affairs of organisations to which they belong; and
- encourage the efficient management of organisations and high standards of accountability of organisations to their members.

The obligation to lodge Annual Return information under s 233 of the RO Act falls directly on the National Office of the AWU and this includes the lodgement of a declaration signed by the Secretary or other prescribed officer certifying that the register of its members has, during the immediately preceding calendar year, been kept and maintained as required.

An important part of the regulatory framework requires the FWC to be satisfied that an organisation has met the legislative obligations set out in the RO Act and the various civil penalty provisions (including in s 233) are designed to ensure compliance with these obligations.

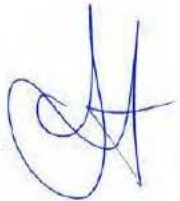
It may be of interest for you to observe the current membership inquiries currently being conducted with the Communications Electrical, Electronic, Energy, Information Postal, Plumbing and Allied Services Union of Australia (CEPU) which are publicly available via <https://www.fwc.gov.au/documents/documents/organisations/registered-orgs/128v/128v-ar2016-148.pdf> to CEPU AR2016/148. It may provide you with some context about the work the RCB is currently undertaking in the area of membership reporting.

For the avoidance of doubt, I advise that my queries above are not in any way related to the current investigation into the Victorian Branch of the AWU which was commenced on 2 November 2016 and appears on the FWC web site.

I request that you provide a response to the concerns I have expressed above by Friday 18 November 2016.

Should you wish to discuss this matter in the meantime, I can be contacted on the details provided below.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'CE', located below the 'Yours faithfully' text.

Chris Enright

Director

Regulatory Compliance Branch

Fair Work Commission

chris.enright@fwc.gov.au

STRONGER TOGETHER

AWUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4001
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



AWU-549-1050000

7 October 2016

Plain Work Australia

Hand/Delivered

Dear Sir/Madam,

Please be advised that I will be on annual leave from Monday 3 October 2016, and I will return to work on Monday 17 October 2016.

The Branch Executive of The Australian Workers' Union held a postal ballot to elect Steve Baker as the Acting Branch Secretary whilst I am on leave, and this postal ballot was approved and adopted on 5 October 2016.

If you have any queries, please do not hesitate to contact this office.

Regards,

BEN SWAN
BRANCH SECRETARY

Secretary Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.awu.org.au



1 September 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street
SYDNEY NSW 2000

Dear Mr McDine,

**Notification of changes to records (s233(2) Fair Work (Registered Organisations) Act 2009 -
The Australian Workers' Union [AR2016/161]**

I acknowledge receipt on 31 August 2016 of your declaration and notification of changes to information contained in the records pursuant to sub-section 233(2) of the *Fair Work (Registered Organisations) Act 2009*.

The documents have been filed.

Yours sincerely

Stephen Kellett
Senior Adviser
Regulatory Compliance Branch

From: KELLETT, Stephen
Sent: Thursday, 1 September 2016 10:48 AM
To: 'debra.bushell@nat.awu.net.au'
Cc: Stephen Crawford (stephen.crawford@nat.awu.net.au)
Subject: Attention Mr Scott McDine - changes to records - s233(2) - filing

Dear Ms Bushell,

Please see attached my letter in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

Level 10, Terrace Tower, 80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



AWU AR2016-161
acknowledgement_nc

From: Debra Bushell [<mailto:debra.bushell@nat.awu.net.au>]
Sent: Wednesday, 31 August 2016 11:41 AM
To: Orgs
Subject: SK - s 233 Notice AWU NSW Branch & National Positions

Dear Sir/Madam

Please find attached a s 233 notice regarding changes to elected positions in the AWU NSW Branch and National Positions.

Kind regards

Debra Bushell

Personal Assistant to the National Secretary

The Australian Workers' Union

Level 10, 377-383 Sussex Street, Sydney, NSW 2000

p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352

debra.bushell@nat.awu.net.au | www.awu.net.au

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s 233 Notice AWU
NSW Branch & Nation

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E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 962

31 August 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

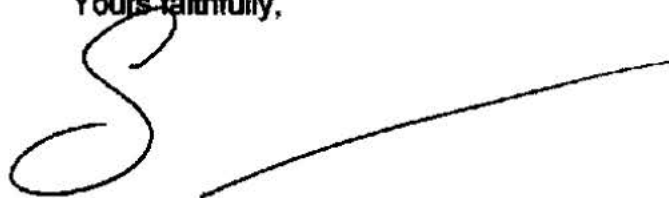
VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)

Please find attached a declaration regarding inaugural appointments to Interim Offices in the New South Wales Branch effective from 1 September 2016.

Yours faithfully,



Scott McDine
NATIONAL SECRETARY

31 August 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following inaugural appointments to Interim Offices in the New South Wales Branch effective 1 September 2016:

- **One Branch Secretary (full time) – Interim:**
Russ Collison
- **One Branch President (full time) – Interim:**
Stephen Bali
- **Three Branch Assistant Secretaries (full time) – Interim:**
Paul Noack
Anthony Callinan
Wayne Phillips
- **Three Branch Senior Vice-Presidents (full time) – Interim:**
Paul Farrow
Paul Delaney
David Hancock
- **Four Branch Vice-Presidents (full time) – Interim:**
Ron Cowdrey
Jeff Buhler
John Boyd
Branko Gorgievski
- **Three Branch Vice-Presidents (honorary) – Interim:**
Robert O'Neill
Wayne Pringle
Les Millar
- **One Branch Elected Official and Branch Executive Committee Member (full time) – Interim:**
Mark Hughes
- **Twenty Branch Executive Committee Members (honorary) – Interim:**
David Boreland
Geoff Dawson
Robert Dunn
Lorna Fairless
Darren Halloran
Ross Hillary
Craig Mason
Ian Morley
John Scott

Ian Thomas
Evan Lawless
Thomas Matheson
William McGuinness
Larry Redman
Brett Slavin
Peter Armstrong
Gregg Davies
Glenn Leake
Sash Stojanovski
Lance Turner

- **Five Branch Delegates to National Executive – Interim:**

Russ Collison
Paul Noack
Paul Farrow
Anthony Callinan
Wayne Phillips

- **Sixteen Branch Delegates to National Conference – Interim:**

Russ Collison
Paul Noack
Paul Farrow
Ron Cowdrey
Jeff Buhler
Robert O'Neill
Steven Carter
Leah Tucker
Brock Skelton
Anthony Callinan
John Boyd
Thomas Matheson
Wayne Pringle
Wayne Phillips
Sean Burke
Brett Withers

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

Scott McDine
NATIONAL SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Scott McDine of Level 10, 377-383 Sussex Street Sydney, in the State of New South Wales, National Secretary of The Australian Workers' Union, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the National Secretary of The Australian Workers' Union (AWU).
2. On 11 July 2016, members of the Executive Committee of the AWU Greater New South Wales Branch, carried a resolution to dissolve the Branch to facilitate a merger of the three New South Wales Branches.
3. On 11 July 2016, members of the Executive Committee of the AWU Newcastle, Central Coast and Northern Regions Branch, carried a resolution to dissolve the Branch to facilitate a merger of the three New South Wales Branches.
4. On 11 July 2016, members of the Executive Committee of the AWU Port Kembla, South Coast & Southern Highlands Branch, carried a resolution to dissolve the Branch to facilitate a merger of the three New South Wales Branches.
5. On 5 August 2016, members of the National Executive of the AWU carried a number of resolutions with regards to the approval of the merger of the three AWU Branches in New South Wales.
6. On 10 August 2016, an application was filed with the Fair Work Commission to amend the Rules of the AWU to effect the merger and to create a New South Wales Branch to operate from 1 September 2016.
7. On 17 August 2016, the Delegate of the Fair Work Commission certified the Rule amendments per R2016/159, marked "A".
8. Attached to this declaration and marked "B" is a true and correct copy of the Postal Ballot conducted on 18 August 2016, which closed on 24 August 2016, appointing the Interim Offices of the New South Wales Branch, from 1 September 2016. The Interim Offices are to be abolished on 30 June 2017 and replaced with Offices that will be elected via the general AWU election in 2017.
7. Attached to this declaration and marked "C" is a true and correct copy of the Postal Ballot result.
8. Attached to this declaration and marked "D" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Interim Offices in the AWU New South Wales Branch effective 1 September 2016.

9. Attached to this declaration and marked "E" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office of the AWU National Executive as a result of the Interim Offices in the AWU New South Wales Branch effective 1 September 2016
10. Attached to this declaration and marked "F" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office of the AWU National Conference Delegates as a result of the Interim Offices in the AWU New South Wales Branch effective 1 September 2016

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Sydney on this 31st day of August 2016.

DEPONENT



SCOTT McDINE
NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION

BEFORE ME



MICHAEL (MISHA) ZELINSKY
SOLICITOR



DECISION

Fair Work (Registered Organisations) Act 2009
s.159—Alteration of other rules of organisation

The Australian Workers Union
(R2016/159)

MR BILL STEENSON

SYDNEY, 17 AUGUST 2016

Alteration of other rules of organisation.

[1] On 10 August 2016 The Australian Workers Union ('the organisation') lodged with the Fair Work Commission a notice and declaration setting out particulars of alterations to the rules of the organisation.

[2] The particulars set out alterations to rules 7, 26, 32, 33, 35, 42, 47, 55, 61 and 82 of the rules of the organisation.

[3] On the information contained in the notice, I am satisfied the alterations have been made under the rules of the organisation.

[4] On 15 August 2016 the organisation gave consent, under subsection 159(2) of the *Fair Work (Registered Organisations) Act 2009*, for the Delegate to make amendments to the alterations for the purpose of correcting typographical, clerical or formal errors, as set out in Attachment A.

[5] In my opinion, the alterations comply with and are not contrary to the *Fair Work (Registered Organisations) Act 2009*, the *Fair Work Act 2009*, modern awards and enterprise agreements, and are not otherwise contrary to law. I certify accordingly under subsection 159(1) of the *Fair Work (Registered Organisations) Act 2009*.



DELEGATE OF THE GENERAL MANAGER

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ATTACHMENT A

- 1) The reference “55(4)” at paragraph 21 of the Notice of particulars corrected to “55(5)”
- 2) The words “*Central Coast*” inserted immediately after the word “*Newcastle*” in sub-rule 82(1)(a)

18 August 2016

"B"

Circular 136/2016

CIRCULAR LETTER TO MEMBERS OF THE NATIONAL EXECUTIVE POSTAL BALLOT

Dear Colleagues,

Re: New South Wales Branch – National Executive Appointments

At the AWU National Executive meeting held 5 August 2016 in Adelaide the National Executive carried a number of resolutions with regards to the approval of the merger of the three New South Wales Branches.

The National Executive members were furnished with a number of supporting documents from the Greater New South Wales Branch, Newcastle, Central Coast and Northern Regions Branch and the Port Kembla, South Coast and Southern Highlands Branch, supporting the Merger of the three Branches.

The National Office filed an application for approval of the Merger and Rule changes with the Fair Work Commission on 10 August 2016.

The Fair Work Commission has certified the Merger and the Rule changes per Decision R2016/159 dated 17 August 2016.

The AWU National Executive now has the authority to make the inaugural appointments to the New South Branch Interim Offices in accordance with Rule 61 (4) which states:

"TRANSITIONAL ARRANGEMENTS FOR THE NEW SOUTH WALES BRANCH

- (4) *The following transitional arrangements apply in relation to the creation of the New South Wales Branch on 1 September 2016.*

The National Executive may initially make appointments to the following Interim Offices in the New South Wales Branch in accordance with the agreement made between the Greater New South Wales Branch, the Newcastle, Central Coast and Northern Regions Branch and the Port Kembla, South Coast and Southern Highlands Branch:

- One Branch Secretary (full time) - Interim
- One Branch President (full time) - Interim
- Three Branch Assistant Secretaries (full time) - Interim
- Three Senior Vice-Presidents (full time) - Interim
- Four Vice-Presidents (full time) - Interim
- Three Vice-Presidents (honorary) - Interim
- One Elected Official and Branch Executive Committee Member (full time) – Interim

- *Twenty Branch Executive Committee Members (honorary) – Interim*
- *Five Branch Delegates to National Executive – Interim*
- *Sixteen Branch Delegates to National Conference - Interim*

The Interim Offices are abolished effective 30 June 2017. The Interim Officers appointed to the New South Wales Branch will commence their term on 1 September 2016 and it will end as a consequence of their respective offices being abolished on 30 June 2017.

As it is both inconvenient and costly to call a meeting of the National Executive to decide the matter, we consider it advisable to submit this matter to the National Executive for determination by way of a postal ballot.

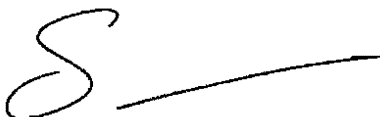
Please complete, sign and return the Postal Ballot Resolution, using any of the following options by **4.00pm (EST) Wednesday 24 August 2016**:

1. Sign and scan the Postal Ballot page and email to debra.bushell@nat.awu.net.au;
2. Indicate your response to the Postal Ballot Resolution in an email to debra.bushell@nat.awu.net.au

If option 2 is your preferred choice, the following text should be included in the email response:-

"I agree/disagree to pass the Postal Ballot Resolution provided to me on 18 August 2016, in regards to the inaugural appointments to the NSW Branch positions. This email constitutes my signature on that document as at the date of this email."

Yours fraternally,



Scott McDine
NATIONAL SECRETARY



Daniel Walton
ASSISTANT NATIONAL SECRETARY



AWU NATIONAL EXECUTIVE BALLOT PAPER SUBMISSION OF A MATTER TO A VOTE OF NATIONAL EXECUTIVE MEMBERS BY A BALLOT

NSW BRANCH MERGER – NATIONAL EXECUTIVE APPOINTMENTS

In accordance with Rule 61 (4) of the AWU Rules, the National Executive hereby makes the following appointments to the Interim Offices in the New South Wales Branch:

- **One Branch Secretary (full time) – Interim:**
Russ Collison
- **One Branch President (full time) – Interim:**
Stephen Bali
- **Three Branch Assistant Secretaries (full time) – Interim:**
Paul Noack
Anthony Callinan
Wayne Phillips
- **Three Branch Senior Vice-Presidents (full time) – Interim:**
Paul Farrow
Paul Delaney
David Hancock
- **Four Branch Vice-Presidents (full time) – Interim:**
Ron Cowdrey
Jeff Buhler
John Boyd
Branko Gorgievski
- **Three Branch Vice-Presidents (honorary) – Interim:**
Robert O'Neill
Wayne Pringle
Les Millar
- **One Branch Elected Official and Branch Executive Committee Member (full time) – Interim:**
Mark Hughes
- **Twenty Branch Executive Committee Members (honorary) – Interim:**
David Boreland
Geoff Dawson
Robert Dunn
Lorna Fairless
Darren Halloran
Ross Hillary
Craig Mason
Ian Morley
John Scott
Ian Thomas
Evan Lawless
Thomas Matheson
William McGuinness

Ballot Paper



THE
AUSTRALIAN
WORKERS
UNION

**STRONGER
TOGETHER**

Page 2

Larry Redman
Brett Slavin
Peter Armstrong
Gregg Davies
Glenn Leake
Sash Stojanovski
Lance Turner

- **Five Branch Delegates to National Executive – Interim:**

Russ Collison
Paul Noack
Paul Farrow
Anthony Callinan
Wayne Phillips

- **Sixteen Branch Delegates to National Conference – Interim:**

Russ Collison
Paul Noack
Paul Farrow
Ron Cowdrey
Jeff Buhler
Robert O'Neill
Steven Carter
Leah Tucker
Brock Skelton
Anthony Callinan
John Boyd
Thomas Matheson
Wayne Pringle
Wayne Phillips
Sean Burke
Brett Withers

The term of these Interim Offices will commence on 1 September 2016 and end on 30 June 2017. The Interim Offices will be abolished on 30 June 2017 in accordance with Rule 61 (4).

I AM IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

I AM NOT IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

Postal Ballot closes 4.00pm (EST) Wednesday 24 August 2016

25 August 2016

"C"

Circular No: 145/2016

CIRCULAR LETTER TO MEMBERS OF THE NATIONAL EXECUTIVE POSTAL BALLOT RESULT

Dear Colleagues,

Re: New South Wales Branch – National Executive Appointments

The postal ballot forwarded to members of the National Executive dated 18 August 2016, (Circular 136/2016), which closed at 4.00pm (EST) on Wednesday 24 August 2016, regarding the above, resulted as follows:

Total number of ballots distributed	-	27
Total number of ballots returned	-	25
Total number received after closing time	-	Nil
Total number of "Yes" votes	-	25
Total number of "No" votes	-	Nil

I therefore declare the ballot

CARRIED

Yours fraternally,



Scott McDine
NATIONAL SECRETARY

THE AUSTRALIAN WORKERS' UNION
2016 OFFICE HOLDERS AND BRANCH EXECUTIVE
NEW SOUTH WALES BRANCH

ONE BRANCH SECRETARY	Russ Collison PO Box 20 Granville NSW 2142	Union Official
-----------------------------	---	-----------------------

ONE BRANCH PRESIDENT	Stephen Ball PO Box 20 Granville NSW 2142	Union Official
-----------------------------	--	-----------------------

THREE BRANCH ASSISTANT SECRETARIES

Paul Noack PO Box 20 Granville NSW 2142	Appointed Union Official
--	---------------------------------

Anthony Callinan PO Box 226 Mayfield NSW 2304	Union Official
--	-----------------------

Wayne Phillips PO Box 1580 Wollongong NSW 2500	Union Official
---	-----------------------

THREE BRANCH SENIOR VICE-PRESIDENTS

Paul Farrow PO Box 20 Granville NSW 2142	Union Official
---	-----------------------

Paul Delaney PO Box 226 Mayfield NSW 2304	Union Official
--	-----------------------

David Hancock PO Box 1580 Wollongong NSW 2500	Union Official
--	-----------------------

FOUR BRANCH VICE-PRESIDENTS

Ron Cowdrey 103 Banna Avenue Griffith NSW 2680	Appointed Union Official
---	---------------------------------

Jeff Buhler PO Box 20 Granville NSW 2142	Appointed Union Official
---	---------------------------------

John Boyd PO Box 226 Mayfield NSW 2304	Union Official
---	-----------------------

Branko Gorgievski
PO Box 1560
Wollongong NSW 2500

Union Official

**THREE BRANCH VICE-PRESIDENTS
(HONORARY)**

Robert O'Neill
PO Box 330
Curtin ACT 2605

Appointed Union Official

Wayne Pringle
PO Box 226
Mayfield NSW 2304

Operator

Les Millar
PO Box 1560
Wollongong NSW 2500

Storeman

**ONE BRANCH ELECTED OFFICIAL
AND BRANCH EXECUTIVE COMMITTEE MEMBER**

Mark Hughes
PO Box 226
Mayfield NSW 2304

Union Official

**TWENTY BRANCH EXECUTIVE COMMITTEE MEMBERS
(HONORARY)**

David Boreland
PO Box 20
Granville NSW 2142

Steel Worker

Geoff Dawson
PO Box 20
Granville NSW 2142

Road Construction Worker

Robert Dunn
PO Box 20
Granville NSW 2142

Road Construction Supervisor

Lorna Fairless
PO Box 20
Granville NSW 2142

Aircraft Worker

Darren Halloran
PO Box 20
Granville NSW 2142

Senior Field Supervisor

Ross Hillary
PO Box 20
Granville NSW 2142

Senior Asset
Field Officer

Craig Mason
PO Box 20
Granville NSW 2142

Gas Supply Technician

Ian Morley PO Box 20 Granville NSW 2142	Process Technician
John Scott PO Box 20 Granville NSW 2142	Tool Storeman
Ian Thomas PO Box 20 Granville NSW 2142	Glassworker
Evan Lawless PO Box 226 Mayfield NSW 2304	Engineer
Thomas Matheson PO Box 226 Mayfield NSW 2304	Labourer
William McGuinness PO Box 226 Mayfield NSW 2304	Operator
Larry Redman PO Box 226 Mayfield NSW 2304	Labourer
Brett Slavin PO Box 226 Mayfield NSW 2304	Truck Driver
Peter Armstrong PO Box 1506 Wollongong NSW 2500	Production Worker
Gregg Davies PO Box 1506 Wollongong NSW 2500	Production Worker
Glenn Leake PO Box 1506 Wollongong NSW 2500	Production Worker
Sash Stojanovski PO Box 1506 Wollongong NSW 2500	Production Worker
Lance Turner PO Box 1506 Wollongong NSW 2500	Production Worker

FIVE BRANCH DELEGATES TO NATIONAL EXECUTIVE

Russ Collison	Union Official
----------------------	-----------------------

PO Box 20
Granville NSW 2142

Paul Noack
PO Box 20
Granville NSW 2142

Appointed Union Official

Paul Farrow
PO Box 20
Granville NSW 2142

Union Official

Anthony Callinan
PO Box 226
Mayfield NSW 2300

Union Official

Wayne Phillips
PO Box 1506
Wollongong NSW 2500

Union Official

SIXTEEN BRANCH DELEGATES TO NATIONAL CONFERENCE:

Russ Collison
PO Box 20
Granville NSW 2142

Union Official

Paul Noack
PO Box 20
Granville NSW 2142

Appointed Union Official

Paul Farrow
PO Box 20
Granville NSW 2142

Union Official

Ron Cowdrey
103 Banna Avenue
Griffith NSW 2680

Appointed Union Official

Jeff Buhler
PO Box 20
Granville NSW 2142

Appointed Union Official

Robert O'Neill
PO Box 330
Curtin NSW 2605

Appointed Union Official

Steven Carter
PO Box 1595
Grafton NSW 2460

Appointed Union Official

Leah Tucker
PO Box 20
Granville NSW 2142

Appointed Union Official

Brock Skelton
Ground Floor

Appointed Union Official



Anthony Callinan PO Box 226 Mayfield NSW 2304	Union Official
John Boyd PO Box 226 Mayfield NSW 2304	Union Official
Thomas Matheson PO Box 226 Mayfield NSW 2304	Labourer
Wayne Pringle PO Box 226 Mayfield NSW 2304	Operator
Wayne Phillips PO Box 1506 Wollongong NSW 2500	Union Official
Sean Burke PO Box 1506 Wollongong NSW 2500	Union Official
Brett Withers PO Box 1506 Wollongong NSW 2500	Production Worker

List of Offices / List of Office Holders**THE AUSTRALIAN WORKERS' UNION**
2016 NATIONAL EXECUTIVE

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY) x 7	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
	Misha Zelinsky Level 10 377-383 Sussex Street SYDNEY NSW 2000	Union Official
	Marina Chambers GPO Box 88 Brisbane QLD 4000	Union Official
NATIONAL SECRETARY	Scott McDine Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
NATIONAL EXECUTIVE	Ben Swan	Union Official

MEMBERS

**GPO Box 88
Brisbane QLD 4001**

**Steve Baker
GPO Box 13
Brisbane QLD 4001**

Union Official

**Troy Spence
PO Box 88
Brisbane QLD 4001**

Union Official

**Peter Gunsberger
PO Box 738
Innisfail QLD 4860**

Union Official

**Tracey Sharpe
PO Box 508
Toowoomba QLD 4350**

Union Official

**Russ Collison
PO Box 20
Granville NSW 2142**

Union Official

**Paul Noack
PO Box 20
Granville NSW 2142**

Union Official

**Paul Farrow
PO Box 20
Granville NSW 2142**

Union Official

**Anthony Callinan
PO Box 226
Mayfield NSW 2304**

Union Official

**Wayne Phillips
PO Box 1506
Wollongong NSW 2500**

Union Official

**Ben Davis
685 Spencer Street
West Melbourne VIC 3003**

Union Official

**Gavin Penn
685 Spencer Street
West Melbourne VIC 3003**

Union Official

**Jimmy Mastrandonakis
685 Spencer Street
West Melbourne VIC 3003**

Union Official

**Ian Wakefield
PO Box 129
North Hobart Tas 7002**

Union Official

**Peter Lamps
GPO Box 2577
Adelaide SA 5001**

Union Official

**Stephen Price
PO Box 8122
Perth Business Centre
Perth WA 6849**

Union Official

**Mike Zoetbrood
PO Box 8122
Perth Business Centre
Perth WA 6849**

Union Official

THE AUSTRALIAN WORKERS' UNION
NATIONAL CONFERENCE DELEGATES 2016

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY x 7)	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Keith Ballin PO Box 1035 Townsville QLD 4810	Union Official
	Misha Zelinsky Level 10 377-383 Sussex Street SYDNEY NSW 2000	Union Official
	Marina Chambers GPO Box 88 Brisbane QLD 4000	Union Official
NATIONAL SECRETARY	Scott McDine Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
QUEENSLAND BRANCH	Ben Swan GPO Box 88 Brisbane QLD 4001	Union Official

Steve Baker GPO Box 13 Brisbane QLD 4001	Union Official
Keith Ballin GPO Box 1057 Bundaberg QLD 4670	Union Official
Tony Beers PO Box 5097 Gladstone QLD 4680	Union Official
Don Bulow C/- GPO Box 13 Brisbane QLD 4001	Concrete Labourer
Robert Carson PO Box 50 Mount Isa QLD 4825	Union Official
Peter Gunsberger PO Box 854 Cairns QLD 4870	Union Official
Daryl Harrison PO Box 50 Mount Isa QLD 4825	Union Official
Terry Cross GPO Box 13 Brisbane QLD 4001	Union Official
Bede Harding GPO Box 88 Brisbane QLD 4001	Union Official
Paul Robertson PO Box 115 Mackay QLD 4740	Union Official
Tracey Sharpe PO Box 508 Toowoomba QLD 4350	Union Official
Gavin Duncan PO Box 1057 Bundaberg QLD 4670	Union Official
Zac Beers	Union Official

PO Box 5097
Gladstone QLD 4680

Sharon Winn
PO Box 854
Cairns QLD 4870

Union Official

Jim Wilson
GPO Box 88
Brisbane QLD 4001

Union Official

Luke Mangano
PO Box 1035
Townsville QLD 4810

Union Official

Wally Boulton
GPO Box 13
Brisbane QLD 4001

Union Official

Cathy Janetzki
PO Box 508
Toowoomba QLD 4350

Union Official

NEW SOUTH WALES BRANCH

Russ Collison
PO Box 20
Granville NSW 2142

Union Official

Paul Noack
PO Box 20
Granville NSW 2142

Appointed Union Official

Paul Farrow
PO Box 20
Granville NSW 2142

Union Official

Ron Cowdrey
103 Banna Avenue
Griffith NSW 2680

Appointed Union Official

Jeff Buhler
PO Box 20
Granville NSW 2142

Appointed Union Official

Robert O'Neill
PO Box 330
Curtin NSW 2605

Appointed Union Official

Steven Carter

Appointed Union Official

PO Box 1595
Grafton NSW 2460

Leah Tucker
PO Box 20
Granville NSW 2142

Appointed Union Official

Brock Skelton

Appointed Union Official

Anthony Callinan
PO Box 226
Mayfield NSW 2304

Union Official

John Boyd
PO Box 226
Mayfield NSW 2304

Union Official

Thomas Matheson
PO Box 226
Mayfield NSW 2304

Labourer

Wayne Pringle
PO Box 226
Mayfield NSW 2304

Operator

Wayne Phillips
PO Box 1506
Wollongong NSW 2500

Union Official

Sean Burke
PO Box 1506
Wollongong NSW 2500

Union Official

Brett Withers
PO Box 1506
Wollongong NSW 2500

Production Worker

VICTORIAN BRANCH

Ben Davis
685 Spencer Street
West Melbourne VIC 3003

Union Official

Joe Alaalatoa
C/- 685 Spencer Street
West Melbourne VIC 3003

Construction
Worker

Dennis Bradford
C/- 685 Spencer Street

Glass Worker

	West Melbourne VIC 3003	
	Ray Christie C/- 685 Spencer Street West Melbourne VIC 3003	Gas/Oil Industry Worker
	Tanya Green 685 Spencer Street West Melbourne VIC 3003	Union Official
	Jim Ward 685 Spencer Street West Melbourne VIC 3003	Union Official
	Peter King C/- 685 Spencer Street West Melbourne VIC 3003	Aluminium Worker
	Lenny Hosking C/- 685 Spencer Street West Melbourne VIC 3003	Gas/Oil Industry Worker
	Adrian Colebrook C/- 685 Spencer Street West Melbourne VIC 3003	Aluminium Industry Worker
	Geoffrey Terrill 685 Spencer Street West Melbourne VIC 3003	Steel Industry Worker
	Ray West C/-685 Spencer Street West Melbourne VIC 3003	Paper Industry Worker
TASMANIA BRANCH	Ian Wakefield PO Box 129 North Hobart TAS 7002	Union Official
	Robert Flanagan PO Box 129 North Hobart TAS 7002	Union Official
SOUTH AUSTRALIA BRANCH	Peter Lamps GPO Box 2577 Adelaide SA 5001	Union Official
	Gary Henderson GPO Box 2577 Adelaide SA 5001	Union Official

	Michael Hopgood GPO Box 2577 Adelaide SA 5001	Union Official
	Joseph Kane GPO Box 2577 Adelaide SA 5001	Union Official
WEST AUSTRALIA	Stephen Price PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
	Mike Zoetbrood PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
	Andrew Hacking C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
	Simon Price C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
	Brad Gandy C/- PO Box 8122 Perth Business Centre Perth WA 6849	Union Official



FairWork
Commission

9 August 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union
Email: members@awu.net.au

Dear Mr McDine,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders of The Australian Workers' Union.

This information was lodged with the Fair Work Commission (the Commission) 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
8 August 2016	National	National Vice President (Honorary)
8 August 2016	South Australian	Branch Secretary
8 August 2016	South Australian	Branch President (Honorary)

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Monday, 8 August 2016 1:41 PM
To: Orgs
Subject: s 233 Notice changes within AWU National Office & AWU South Australian Branch
Attachments: s 233 Notice AWU National Officials.pdf; s 233 Notice SA Branch 8 August 2016.pdf
Categories: RIA

Dear Sir/Madam

Please find attached a s 233 notice regarding changes to elected positions within the AWU National Office and AWU South Australian Branch.

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline 1300 885 653
Scott McDine National Secretary



ABN 26 853 022 982

8 August 2016

**Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011**

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union (National Positions).

Yours faithfully,

**Scott McDine
NATIONAL SECRETARY**

8 August 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU:

National Vice President (Honorary), Peter Lamps, resigned 8 July 2016.
South Australian Branch Secretary, Wayne Hanson, resigned 8 July 2016.

Peter Lamps, appointed to South Australian Branch Secretary, 8 July 2016.
Wayne Hanson, appointed to National Vice President (Honorary), 21 July 2016.

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a long horizontal stroke.

Scott McDine
NATIONAL SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*

FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

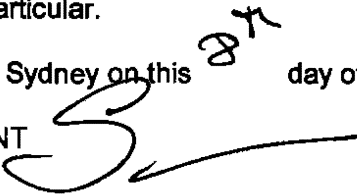
I, Scott McDine of Level 10, 377-383 Sussex Street Sydney, in the State of New South Wales, National Secretary of The Australian Workers' Union, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the National Secretary of The Australian Workers' Union.
2. On 8 July 2016, the following person resigned from Office:
 - Peter Lamps - National Vice President (Honorary)
3. The AWU is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
4. The resigning official commenced his Office on 1 July 2013 and term of the Office is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
5. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the National Executive Members are authorised to make appointments to the vacant position.
6. Attached to this declaration and marked "A" is a true and correct copy of the relevant documentation for the Postal Ballot conducted on 18 July 2016, which closed on 21 July, regarding the proposal for Wayne Hanson to be appointed as a National Vice-President (Honorary) of The Australian Workers' Union.
7. Mr Hanson was previously the South Australian Branch Secretary and hence a representative on National Executive until his resignation on 8 July 2016. Mr Lamps was appointed as the Branch Secretary on this same date.
7. Attached to this declaration and marked "B" is a true and correct copy of the Postal Ballot result which confirmed Wayne Hanson's appointment as a National Vice-President (Honorary) of The Australian Workers' Union.
8. Attached to this declaration and marked "C" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office of the AWU National Executive as a result of the appointment of 21 July 2016.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Sydney on this ^{8th} day of August 2016.

DEPONENT



SCOTT McDINE
NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION

BEFORE ME



DEBRA BUSHELL
JUSTICE OF THE PEACE NO: 147535

18 July 2016

Circular 126/2016

CIRCULAR LETTER TO MEMBERS OF THE NATIONAL EXECUTIVE POSTAL BALLOT

Dear Colleagues,

Re: National Executive Resolutions – Rule change regarding SA Branch Executive composition & filling of National VP position

RULE CHANGE

The Australian Workers' Union, South Australian Branch Executive has recently endorsed some amendments to its composition as specified in Rule 33 (7) (j) of the AWU Rules.

It is proposed to delete the current Rule 33 (7) (j) and insert the following:

(j) In the case of the South Australian Branch there is to be a Branch Executive comprising the following:

- One Branch Secretary (full time)
- One Branch President (honorary)
- One Branch Assistant Secretary (full time)
- Two Branch Vice Presidents (honorary)
- Three Branch Organisers - Branch Executive Committee Members (full time)
- Nine Branch Executive Committee Members (honorary)

In addition there is to be one elected Branch Organiser (full time) who is not a member of the Branch Executive.

The effect of the variation is to reduce the number of Branch Organiser – Branch Executive Committee Member (full time) positions from four to three and the number of Branch Executive Committee Member (honorary) positions from eleven to nine.

NATIONAL VICE-PRESIDENT POSITION

The National Office has received written confirmation that on Friday, 8 July 2016 Wayne Hanson resigned from his position as Branch Secretary of the South Australian Branch of The Australian Workers' Union. On Friday, 8 July 2016 the South Australian Branch Executive carried the following resolution appointing Peter Lamps to fill the casual vacancy in accordance with Rule 65 (1):

"That this AWU Branch Executive appoints Peter Lamps to fill the casual vacancy of Branch Secretary following the resignation of Wayne Hanson from that position in accordance with the Rules of the Union."

The National Office has also received written confirmation that on Friday, 8 July 2016 Peter Lamps resigned from his position as National Vice-President.

Due to Peter Lamps' appointment to the position of SA Branch Secretary and his resignation as a National Vice President, it is recommended that Wayne Hanson be appointed to fill the casual vacancy in the Office of National Vice-President in accordance with Rule 65 (1).

Correspondence from the South Australian Branch confirming the matters described above is attached.

As it is both inconvenient and costly to call a meeting of the National Executive to decide the matter, we consider it advisable to submit this matter to the National Executive for determination by way of a postal ballot.

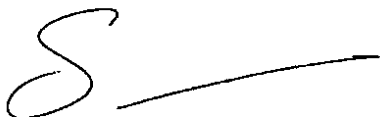
Please complete, sign and return the Postal Ballot Resolution, using any of the following options by **4.00pm (EST) Thursday 21 July 2016**:

1. Sign the Postal Ballot page and fax to 02 8005 3300;
2. Sign and scan the Postal Ballot page and email to debra.bushell@nat.awu.net.au;
3. Indicate your response to the Postal Ballot Resolution in an email to debra.bushell@nat.awu.net.au

If option 3 is your preferred choice, the following text should be included in the email response:-

"I agree/disagree to pass the Postal Ballot Resolutions provided to me on 18 July 2016, in regards to the approval of the AWU Rule change for the composition of the South Australian Branch Executive and the filling of the casual vacancy in the Office of National Vice-President. This email constitutes my signature on that document as at the date of this email."

Yours fraternally,



Scott McDine
NATIONAL SECRETARY



Daniel Walton
ASSISTANT NATIONAL SECRETARY

Ballot Paper



AWU NATIONAL EXECUTIVE BALLOT PAPER SUBMISSION OF A MATTER TO A VOTE OF NATIONAL EXECUTIVE MEMBERS BY A BALLOT

RULE 33 – THE BRANCHES AND DIVISIONS OF THE UNION

The National Executive of The Australian Workers' Union resolves the following:

Delete the existing Rule 33 (7) (j) and inserting the following in lieu thereof:

- (j) In the case of the South Australian Branch there is to be a Branch Executive comprising the following:
- One Branch Secretary (full time)
 - One Branch President (honorary)
 - One Branch Assistant Secretary (full time)
 - Two Branch Vice Presidents (honorary)
 - Three Branch Organisers - Branch Executive Committee Members (full time)
 - Nine Branch Executive Committee Members (honorary)

In addition there is to be one elected Branch Organiser (full time) who is not a member of the Branch Executive.

"The National Executive authorises the National Secretary or his nominated Officer to do all things necessary to make the necessary application for approval of the rule change to the Fair Work Commission including correcting any typographical error/s."

RULE 65 – FILLING OF VACANT OFFICES RE: APPOINTMENT OF NATIONAL VICE-PRESIDENT

"The National Executive of The Australian Workers' Union hereby resolves:-

"The National Executive accepts the resignation of Peter Lamps from the office of National Vice-President with effect from 8 July 2016.

"In accordance with Rule 65 of the AWU Rules, the National Executive hereby appoints Wayne Hanson as a National Vice-President of The Australian Workers' Union effective immediately and for the remainder of the Term of Office."

I AM IN FAVOUR OF THE ABOVE RESOLUTIONS

Signed

Print Name

Date

I AM NOT IN FAVOUR OF THE ABOVE RESOLUTIONS

Signed

Print Name

Date

Postal Ballot closes 4.00pm (EST) Thursday 21 July 2016

STRONGER TOGETHER

AMALGAMATED AWU (SA) STATE UNION
AWU SOUTH AUSTRALIAN BRANCH
GPO Box 2577, Adelaide
South Australia 5001
T: (08) 8360 1900 F: (08) 8360 1960
E: awusa@awusa.asn.au
PETER LAMPS Acting Branch Secretary



National Secretary

Australian Workers Union

375-383 Sussex Street

Sydney 2000

Dear Mr. National Secretary,

I wish to advise that on Friday 8th July I indicated to the SA Branch Executive of my intention to resign from my position as National Vice President. The SA Branch Executive have recommended by way of Resolution that Wayne Hanson fill the casual vacancy created by my resignation and that he be recommended to National Executive to fill same in accordance with the Rules. I ask that this be placed on the Agenda for the next National Executive to be held in Adelaide in August.

Resolution:

"The AWU SA Branch Executive recommends to the National Executive that Wayne Hanson fill the casual vacancy of National Vice president following the resignation of Peter Lamps in accordance with the Rules of the Union"

Yours faithfully

Peter Lamps

Branch Secretary

Australian Workers Union

STRONGER TOGETHER

AMALGAMATED AWU (SA) STATE UNION
AND SOUTH AUSTRALIAN BRANCH
GPO Box 2577, Adelaide
South Australia 5001
T: (08) 8366 1800 F: (08) 8362 1800
E: awu@awu.com.au
PETER LAMPS Acting Branch Secretary



National Secretary

Australian workers Union

375-383 Sussex Street

Sydney 2000

Dear Mr. National Secretary,

As a matter of courtesy I wish to advise that on Friday 8th July 2016 Wayne Hanson resigned from his position as Branch Secretary of the South Australian Branch of the Australian Workers Union. The Branch Executive determined that I Peter Lamps be appointed to fill the casual vacancy created by Wayne's resignation.

Resolution:

"That this AWU Branch Executive appoints Peter Lamps to fill the casual vacancy of Branch Secretary following the resignation of Wayne Hanson from that position in accordance with the Rules of the Union."

Yours faithfully,

Peter Lamps

Branch Secretary

Australian Workers Union

**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 26 059 022 532

28 July 2016

Circular No: 128/2016

**CIRCULAR LETTER TO MEMBERS OF THE
NATIONAL EXECUTIVE**

POSTAL BALLOT RESULT

Dear Colleagues,

**Re: National Executive Resolutions – Rule change regarding SA Branch
Executive composition & filling of National VP position**

The postal ballot forwarded to members of the National Executive dated 18 July 2016, (Circular 126/2016), which closed at 4.00pm (EST) on Thursday 21 July 2016, regarding the above, resulted as follows:

Total number of ballots distributed	-	26
Total number of ballots returned	-	20
Total number received after closing time	-	Nil
Total number of "Yes" votes	-	20
Total number of "No" votes	-	Nil

I therefore declare the ballot

CARRIED

Yours fraternally,

**Scott McDine
NATIONAL SECRETARY**

List of Offices / List of Office Holders**THE AUSTRALIAN WORKERS' UNION**
2016 NATIONAL EXECUTIVE

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY) x 7	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
	Misha Zelinsky Level 10 377-383 Sussex Street SYDNEY NSW 2000	Union Official
	Marina Chambers GPO Box 88 Brisbane QLD 4000	Union Official
NATIONAL SECRETARY	Scott McDine Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official

**NATIONAL EXECUTIVE
MEMBERS**

Ben Swan
GPO Box 88
Brisbane QLD 4001
Union Official

Steve Baker
GPO Box 13
Brisbane QLD 4001
Union Official

Troy Spence
PO Box 88
Brisbane QLD 4001
Union Official

Peter Gunsberger
PO Box 738
Innisfail QLD 4860
Union Official

Tracey Sharpe
PO Box 508
Toowoomba QLD 4350
Union Official

Richard Downie
PO Box 226
Mayfield NSW 2304
Union Official

Russ Collison
PO Box 20
Granville NSW 2142
Union Official

Kevin Brown
PO Box 20
Granville NSW 2142
Union Official

Paul Noack
PO Box 20
Granville NSW 2142
Union Official

Wayne Phillips
PO Box 1506
Wollongong NSW 2500
Union Official

Ben Davis
685 Spencer Street
West Melbourne VIC 3003
Union Official

Gavin Penn
685 Spencer Street
West Melbourne VIC 3003
Union Official

Jimmy Mastrandonakis
685 Spencer Street
Union Official

West Melbourne VIC 3003

Ian Wakefield	Union Official
PO Box 129	
North Hobart Tas 7002	

Peter Lamps	Union Official
GPO Box 2577	
Adelaide SA 5001	

Stephen Price	Union Official
PO Box 8122	
Perth Business Centre	
Perth WA 6849	

Mike Zoetbrood	Union Official
PO Box 8122	
Perth Business Centre	
Perth WA 6849	

**STRONGER
TOGETHER**

NATIONAL OFFICE

Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

8 August 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union South Australian Branch.

Yours faithfully,

Scott McDine
NATIONAL SECRETARY

2 August 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

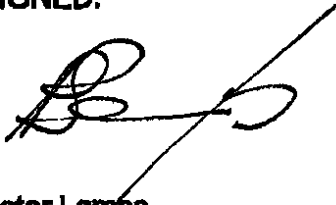
The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the South Australian Branch of the AWU which occurred on 8 July 2016:

BRANCH SECRETARY (FULL TIME): Wayne Hanson resigned and Peter Lamps was appointed

BRANCH PRESIDENT (HONORARY): Peter Lamps resigned and Wayne Hanson was appointed

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, appearing to be 'P. Lamps', written over a horizontal line.

Peter Lamps
**AWU SOUTH AUSTRALIAN
BRANCH SECRETARY**

Section 233 (2) of the Fair Work (Registered Organisations) Act 2009
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Peter Lamps, of 22-24 Main Street Mawson Lakes Adelaide, in the State of South Australia, Branch Secretary of The Australian Workers' Union South Australian Branch, do solemnly and sincerely declare as follows:

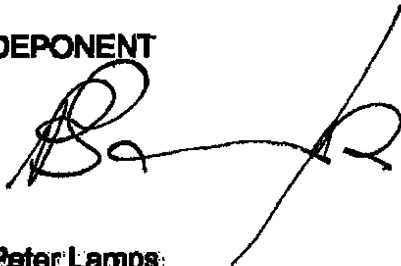
1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, South Australian Branch (AWU SA).
2. On 8 July 2016 the following Officers resigned from their elected positions:
 - Wayne Hanson as AWU SA Branch Secretary (full time)
 - Peter Lamps as AWU SA Branch President (honorary)
3. The AWU SA Branch Executive Committee is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in Branch Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office
4. The resigning officials commenced their Office on 1 July 2013 and the term of their Office is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
5. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the Branch Executive Committee members are authorised to make appointments to the vacant positions.
6. All members of the AWU SA Branch Executive Committee were properly notified that a meeting of the AWU SA Branch Executive would be convened on 8 July 2016.
7. During the AWU SA Branch Executive meeting on 8 July 2016, the AWU SA Branch Executive appointed the following persons to fill the specified vacant Offices in the AWU South Australian Branch:
 - Peter Lamps as AWU SA Branch Secretary (full time)
 - Wayne Hanson as AWU SA Branch President (honorary)
7. Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting held on 8 July 2016.
8. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU SA Branch Office as a result of the appointment on 8 July 2016.

9. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Adelaide on this 2nd day of August 2016

DEPONENT



Peter Lamps
**SOUTH AUSTRALIAN BRANCH SECRETARY
THE AUSTRALIAN WORKERS' UNION**

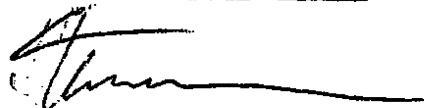
BEFORE ME

NAME

AUTHORITY TO WITNESS

SIGNATURE

Justin Eric Hanson LLB
A Commissioner for the taking
of affidavits in the Supreme
Court of South Australia.



"A"

**MINUTES OF MEETING OF THE EXECUTIVE COMMITTEE
OF THE AUSTRALIAN WORKERS' UNION
SOUTH AUSTRALIAN BRANCH
HELD AT 22-24 MAIN STREET ADELAIDE
8 JULY 2016**

Minutes Extract:

Correspondence

P Lamps received from Wayne Hanson correspondence indicating his intention to tender his resignation as Branch Secretary of the AWU effective of the close of business on 8 July 2016. The correspondence reflected on Wayne's gratefulness in having served members during his time as not only Secretary but over the 50 plus years as an Official. Wayne indicated a keen interest to continue to serve the union as Branch President and National Vice President and sought support for same.

P Lamps indicated that he had written to Branch Secretary W Hanson indicating that he was resigning from his position as Branch President and National Vice President and took the opportunity to thank the Executive and the broader Membership for the support he had been given in those roles and the experience that those roles had given him both at a National and State level. Peter indicated that he was keen to continue serving the Union and sought support for the position of Branch Secretary.

Moved : P Lamps

Seconded: J Kane

Carried

Resolution

"The AWU SA Branch Executive appoints Wayne Hanson to fill the casual vacancy of Branch President following the Resignation of Peter Lamps from that position in accordance with the rules of the union."

Moved: F Matzeos

Seconded: T Stringer

Carried

Resolution

"The AWU SA Branch Executive recommends to the National Executive that Wayne Hanson fill the casual vacancy of National Vice President following the resignation of Peter Lamps in accordance with the rules of the union."

Moved: P. Matson

Seconded: M. Hoggood

Carried

Resolution

"That this AWU SA Branch Executive appoints Peter Lamps to fill the casual vacancy of Secretary of the SA Branch following the resignation of Wayne Hanson from that position in accordance with the rules of the Union."

Moved: P. Matson

Seconded: J. Phelan

Carried

THE AUSTRALIAN WORKERS' UNION
2016 OFFICE HOLDERS AND BRANCH EXECUTIVE
SOUTH AUSTRALIA BRANCH

BRANCH SECRETARY	Peter Lampe GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH PRESIDENT (HONORARY)	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH ASSISTANT SECRETARY	Frank Matcos GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Justin Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Terry Ballis GPO Box 2577 Adelaide SA 5001	O-I Employee
ORGANISER / BRANCH EXECUTIVE COMMITTEE MEMBERS	Gary Henderson GPO Box 2577 Adelaide SA 5001	Union Official
	Michael Hopgood GPO Box 2577 Adelaide SA 5001	Union Official
	Joseph Kane GPO Box 2577 Adelaide SA 5001	Union Official
	Scott Martin GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH EXECUTIVE COMMITTEE MEMBERS	Ian Ashmore C/- GPO BOX 2577 Adelaide SA 5001	Council Worker
	Nathan Crack GPO Box 2577 Adelaide SA 5001	Union Official
	Marcus Hanson	Union Official

GPO Box 2577
Adelaide SA 5001

Joseph Mezzini
C/- GPO Box 2577
Adelaide SA 5001

Nyrstar Employee

Martin Hilton
GPO Box 2577
Adelaide SA 5001

Steel Worker

John Schult
C/- GPO Box 2577
Adelaide SA 5001

ASC Employee

Trish Stringer
GPO Box 2577
Adelaide SA 5001

Union Official

Martin O'Connor
C/- Mitcham Council
PO Box 21
Kingswood SA 5062

Council Worker

Jim Phelan
C/- Santos
GPO Box 2319
Adelaide SA 5001

Santos Employee

Colin Shooter
C/- GPO Box 2577
Adelaide SA 5001

Steel Worker

Stacy Ware
C/- GPO Box 2577
Adelaide SA 5001

Union Official

BRANCH ORGANISER
(FULL-TIME)
WHO IS NOT A
MEMBER OF BRANCH EXECUTIVE

Vacant
GPO Box 2577
Adelaide SA 5001

NATIONAL
CONFERENCE
DELEGATES

Peter Lampe
GPO Box 2577
Adelaide SA 5001

Union Official

Gary Henderson
GPO Box 2577
Adelaide SA 5001

Union Official

Michael Hopgood

Union Official

GPO Box 2577
Adelaide Sa 5001

Joseph Kane
GPO Box 2577
Adelaide SA 5001

Union Official

2201

22

4 July 2016

Circular: 122/2016

CIRCULAR

TO: All Branch Secretaries

RE: Acting National Secretary

Dear Colleagues,

Please be advised, I will be on annual leave next week.

During my absence, Daniel Walton will be Acting National Secretary, from midday Thursday 7 July 2016 through till 5.00pm Friday 15 July 2016.

Yours in Unity



Scott McDine
NATIONAL SECRETARY



FairWork
Commission

15 June 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union
Email: members@awu.net.au

Dear Mr McDine,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders of The Australian Workers' Union.

This information was lodged with the Fair Work Commission (the Commission) 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
15 June 2016	Queensland	Various

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Wednesday, 15 June 2016 12:32 PM
To: Orgs
Subject: s 233 Notice of AWU Queensland Branch - June 2016
Attachments: s 233 Notice AWU Queensland Branch June 2016.pdf

Dear Sir/Madam

Please find attached a s 233 notice regarding changes to elected positions in the AWU Queensland Branch.

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

14 June 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached a declaration of recent changes of elected positions within The Australian Workers' Union, Queensland Branch.

Yours faithfully,

Scott McDine
NATIONAL SECRETARY

Attachment

**STRONGER
TOGETHER**

**AWUEQ
BRANCH OFFICE**
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4001
Members Hotline 1800 671 449
T: (07) 3221 8944 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



ABN 54942586089

8 June 2016

Scott McDine
National Secretary
Australian Workers Union
Level 10
377-383 Sussex Street
SYDNEY NSW 2000

Dear Scott,

**Re: The Australian Workers' Union, Queensland Branch
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union, Queensland Branch.

Yours faithfully,

**BEN SWAN
BRANCH SECRETARY**

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

Date 8 June 2016

**Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION**

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 20 May and 27 May 2016:

Troy Spence replaced Keith Ballin as National Executive Member on 29 April 2016, therefore was replaced as follows:

National Conference Delegate – **Gavin Duncan** – Branch Executive Resolution carried 20 May 2016

Daniel (Jack) Liston resigned on 13 May 2016 and was replaced as follows:

National Conference Delegate – **James Wilson** - Postal Ballot carried 27 May 2016

Branch Organiser – **Jullanne Mann** - Postal Ballot carried 27 May 2016

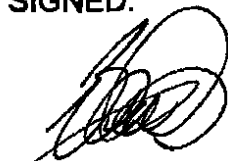
Western District Secretary – **Terrance Cross** - Postal Ballot carried 27 May 2016

Western Branch Executive Committee Member – **Terrence Cross** - Postal Ballot carried 27 May 2016

Branch Delegate to Delegates meeting – **Kylie Cook** - Postal Ballot carried 27 May 2016

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:



**BEN SWAN
BRANCH SECRETARY**

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Benjamin Charles Swan, of Level 12/333 Adelaide Street, in the State of Queensland, Branch Secretary of The Australian Workers' Union, Queensland Branch, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, Queensland Branch (AWU Qld).
2. The AWU Qld Branch Executive Committee is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the Branch Office elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
3. The resigning officials commenced their Office on 1 July 2013 and term of their Office is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
4. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the Branch Executive Committee members are authorised to make appointments to the vacant position/s.
5. All members of the AWU Qld Branch Executive Committee were properly notified that a meeting of the AWU Qld Branch Executive would be convened on 20 May 2016 and were all sent a copy of the postal ballot dated 26 May 2016.
6. During the AWU Qld Branch Executive held on 20 May 2016 and following the postal ballot dated 26 May 2016, the AWU Qld Branch Executive appointed the following persons to fill the specified vacant Offices in AWU Queensland Branch:
 - Gavin Duncan as National Conference Delegate
 - James Wilson as National Conference Delegate
 - Julianne Mann as Branch Organiser
 - Terrence Cross as Western District Secretary
 - Terrance Cross as Western Branch Executive Committee Member
 - Kylie Cook as Branch Delegate to Delegate's meeting

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting held on 20 May 2016 and the result of the postal ballot carried 27 May 2016.

7. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU Queensland Branch Office as a result of the appointments of 20 May and 27 May 2016.
8. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Brisbane on this eighth day of June 2016.

DEPONENT



BEN SWAN
BRANCH SECRETARY
THE AUSTRALIAN WORKERS' UNION

BEFORE ME

NAME Melinda Chisholm

AUTHORITY TO WITNESS

SIGNATURE

JP Beal 111924



"A"

**MINUTES OF MEETING OF THE BRANCH EXECUTIVE OF THE
AUSTRALIAN WORKERS' UNION, QUEENSLAND BRANCH, HELD ON
FRIDAY 20 MAY 2016, AT 333 ADELAIDE STREET, BRISBANE AND
VIA VIDEO CONFERENCE**

MORNING SESSION

PRESENT:

BRANCH SECRETARY	:	B SWAN
BRANCH PRESIDENT	:	M CHAMBERS
BRANCH VICE PRESIDENT	:	T SHARPE
BRANCH VICE PRESIDENT	:	K BALLIN
BRANCH VICE PRESIDENT	:	S BAKER

REPRESENTATIVES:

SOUTHERN

**CENTRAL
T BEERS**

**FAR NORTHERN
D FIXTER**

**NORTHERN
P ROBERTSON**

**SOUTH WESTERN
B HARDING**

WESTERN

**METALS & CONSTRUCTION
T SPENCE**

ROLL CALL

The Branch President, M. Chambers declared the meeting open at 10.15 am when all Representatives were in attendance with the exception of Don Bulow who is absent on urgent Union business.

1(a) ADMISSION OF OBSERVERS

Moved: Ben Swan

"That the Branch Executive notes there were no observers to admit."

Seconded: Steve Baker CARRIED

not done

3(a) FILLING VACANT OFFICES

Moved: Paul Robertson

"That with regards to the vacancy that has occurred with the appointment of Troy Spence as National Executive Member, thus creating a vacancy as an elected National Conference Delegate, it is recommended that this Executive elects to appoint the Gavin Duncan to this position, a person eligible to hold such position in accordance with Rule 65 – Filling Vacant Offices."

Seconded: Tracey Sharpe CARRIED

3(b) FILLING VACANT OFFICES

Moved: Troy Spence

"Suspension of standing orders to commence"

Seconded: Steve Baker CARRIED

Moved: Troy Spence

"Resumption of standing orders"

Seconded: Steve Baker CARRIED

It was noted and reported by the Branch Secretary that Daniel (Jack) Liston tendered his resignation of the position of Western District Secretary on 6 May 2016 to take effect on 13 May 2016.

4. SECRETARY'S REPORT

N/A

5. MATTERS FOR DISCUSSION

N/A

6. GENERAL BUSINESS

N/A

7. LATE CORRESPONDENCE

N/A

8. MEETING FINALISATION

TOGETHER

AMUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4001
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



ABN 54942536069

MEMO TO: MEMBERS OF THE EXECUTIVE OF THE AWU QUEENSLAND BRANCH
FROM: BEN SWAN - SECRETARY
DATE: 30 May 2016
SUBJECT: FILLING VACANT OFFICES - AWU QUEENSLAND BRANCH

The postal ballot forwarded to members of the Executive dated 26 May 2016 which closed at 12.00 PM on Friday 27 May 2016 regarding the following resolution:

I agree/disagree to pass the postal ballot resolution provided to me on 26 May 2016 with respect to the filling of vacant offices that have occurred with the resignation of Daniel (Jack) Liston from the positions of National Conference Delegate, Branch Organiser, Western District Secretary, Branch Executive Committee Member, Branch Delegate to Delegates Meeting.

resulted as follows:

Total number of ballots distributed:	12
Total number of ballots returned:	10
Total number received after closing time:	0
Total number of 'Yes' votes:	10
Total number of 'No' votes:	0

I therefore declare the ballot CARRIED

Yours faithfully,

BEN SWAN
SECRETARY

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

“B”

THE AUSTRALIAN WORKERS' UNION OF EMPLOYEES, QUEENSLAND BRANCH

2016 OFFICE HOLDERS AND EXECUTIVE AS AT 27/05/2016

BRANCH SECRETARY	Ben Swan GPO Box 88 Brisbane 4001	Union Official
BRANCH PRESIDENT	Marina Chambers GPO Box 88 Brisbane 4001	Union Official
BRANCH VICE PRESIDENTS (Honorary) 3	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Tracey Sharpe PO Box 508 Toowoomba 4035	Union Official
NATIONAL EXECUTIVE MEMBERS (Honorary)	Tracey Sharpe PO Box 508 Toowoomba 4035	Union Official
	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Troy Spence GPO Box 88 Brisbane 4001	Union Official
	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
NATIONAL CONFERENCE DELEGATES (Honorary)	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Tony Beers PO Box 5097 Gladstone 4680	Union Official
	Don Bulow C/- GPO Box 13 Brisbane 4001	Concrete Laborer
	Robert Carson PO Box 50 Mount Isa 4825	Union Official

	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
	Terry Cross GPO Box 13 Brisbane 4001	Union Official
	Bede Harding GPO Box 88 Brisbane 4001	Union Official
	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Tracey Sharpe PO Box 508 Toowoomba 4350	Union Official
	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
	Zac Beers PO Box 5097 Gladstone 4680	Union Official
	Sharon Winn PO Box 854 Cairns 4870	Union Official
	Jim Wilson GPO Box 88 Brisbane 4001	Union Official
	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	Wally Boulton GPO Box 13 Brisbane 4001	Union Official
	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
CENTRAL DISTRICT		
CENTRAL DISTRICT SECRETARY	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Tony Beers PO Box 5097 Gladstone 4680	Union Official
BRANCH ORGANISER	Tony Beers PO Box 5097 Gladstone 4680	Union Official
BRANCH ORGANISER	Zac Beers PO Box 5097 Gladstone 4680	Union Official

BRANCH ORGANISER	Craig Sell PO Box 289 Rockhampton 4700	Union Official
BRANCH ORGANISER	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
FAR NORTHERN DISTRICT		
FAR NORTHERN DISTRICT SECRETARY	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
	Kylie Cook PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	Stephen Christian PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	Sharon Winn PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	David Fixter PO Box 854 Cairns 4870	Union Official
NORTHERN DISTRICT		
NORTHERN DISTRICT SECRETARY	Bede Harding PO Box 50 Mount Isa 4825	Union Official
BRANCH EXECUTIVE MEMBERS (Honorary)	Paul Robertson PO Box 115 Mackay 4740	Union Official
BRANCH ORGANISER	Luke Mangano PO Box 1035 Townsville 4810	Union Official
BRANCH ORGANISER	Julianne Mann PO Box 1035 Townsville 4810	Union Official
BRANCH ORGANISER	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Robert Carson PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Damian Hale GPO Box 3845 Darwin 0801	Union Official

SOUTHERN DISTRICT		
SOUTHERN DISTRICT SECRETARY	Steve Baker GPO Box 13 Brisbane 4001	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Don Bulow C/- GPO Box 13 Brisbane 4001	Concrete Laborer
	Alan Bolton GPO Box 13 Brisbane 4001	Union Official
	Jason Shepherd GPO Box 13 Brisbane 4001	Union Official
BRANCH ORGANISER	Walter Boulton C/- GPO Box 13 Brisbane 4001	Union Official
BRANCH ORGANISER	Terry Cross [REDACTED]	Union Official
SOUTH WESTERN DISTRICT		
SOUTH WESTERN DISTRICT SECRETARY	Tracey Sharpe PO Box 508 Toowoomba 4350	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Bede Harding PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
WESTERN DISTRICT		
WESTERN DISTRICT SECRETARY	Terry Cross PO Box 240 Longreach 4730	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Terry Cross PO Box 240 Longreach 4730	Union Official
METALS AND CONSTRUCTION DIVISION		
M&C DISTRICT SECRETARY	Troy Spence GPO Box 88 Brisbane 4001	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Troy Spence GPO Box 88 Brisbane 4001	Union Official
BRANCH PRESIDENT (Honorary)	Jim Wilson GPO Box 88 Brisbane 4001	Union Official
BRANCH VICE PRESIDENT (Honorary)	Paul Cradden GPO Box 88 Brisbane 4011	Union Official
BRANCH ORGANISER	Jim Wilson GPO Box 88 Brisbane 4001	Union Official

	Paul Cradden GPO Box 88 Brisbane 4011	Union Official
	Marina Chambers GPO Box 88 Brisbane 4001	Union Official
BRANCH DELEGATE TO DELEGATES MEETING	Wally Boulton GPO Box 13 Brisbane 4001	Union Official
	Terry Cross GPO Box 13 Brisbane 4001	Union Official
	Tony Beers PO Box 5097 Gladstone 4680	Union Official
	Jim Wilson GPO Box 88 Brisbane 4001	Union Official
	Robert Carson PO Box 50 Mount Isa 4825	Union Official
	Marina Williams GPO Box 88 Brisbane 4001	Union Official
	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
	Craig Sell PO Box 289 Rockhampton 4700	Union Official
	Stephen Christian PO Box 854 Cairns 4870	Union Official
	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Michael Kerley c/- PO Box 1035 Townsville 4810	Union Official
	Peter Ward c/- PO Box 1057 Gladstone 4670	Union Official
	Zac Beers PO Box 5097 Gladstone 4680	Union Official
	Sharon Winn PO Box 854 Cairns 4870	Union Official
	Kylie Cook PO Box 854 Cairns 4870	Union Official

	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	David Fixter PO Box 854 Cairns 4870	Union Official
	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
	Julianne Mann PO Box 1035 Townsville 4810	Union Official



FairWork
Commission

8 June 2016

Mr Ben Swan

Branch Secretary
The Australian Workers' Union - Queensland Branch
Email: secretary@awu.org.au

Dear Mr Swan,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change.

This information was lodged with the Fair Work Commission (the Commission). 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
7 June 2016	Queensland Branch	Updated list of Elected Official

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

STRONGER TOGETHER

**AWUEQ
BRANCH OFFICE**
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4001
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



54942536069

3 June 2016

Fair Work Commission
Queensland

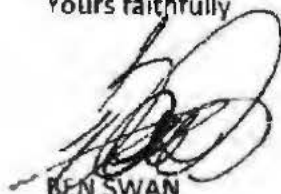


Hand Delivered

SUBJECT: THE AUSTRALIAN WORKERS UNION, QUEENSLAND BRANCH - ELECTED OFFICIALS

Please see attached an updated list of Elected Officials of The Australian Workers' Union, Queensland Branch, as at 27 May 2016.

Yours faithfully


**BEN SWAN
BRANCH SECRETARY**

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

Role	Names	Date Appointed / Date Elected
Secretary	Ben Swan	01/07/2013
President	Marina Chambers	05/04/2016
Vice President	Steve Baker	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	05/04/2016
District Secretary	Peter Gunsberger	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	01/07/2013
	Steve Baker	01/07/2013
	Troy Spence	01/07/2013
	Bede Harding	05/04/2016
	Terry Cross	27/05/2016
Executive Member	Peter Gunsberger	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	01/07/2013
	Steve Baker	01/07/2013
	Paul Robertson	01/07/2013
	Tony Beers	01/07/2013
	Ben Swan	01/07/2013
	Marina Chambers	01/07/2013
	Don Bulow	01/07/2013
	Bede Harding	06/04/2016
	Terry Cross	27/05/2016
Elected Delegate (AWUEQ Delegates' Meeting)	Cathy Janetzki	01/07/2013
	Tony Beers	01/07/2013
	Zac Beers	01/07/2013
	Rob Carson	01/07/2013
	Daryl (Hag) Harrison	01/07/2013
	Paul Robertson	01/07/2013
	Sharon Winn	01/07/2013
	Wally Boulton	01/07/2013
	Terry Cross	01/07/2013
	Marina Chambers	01/07/2013
	Peter Ward	01/07/2013
	Jim Wilson	18/03/2015
	Stephen Christian	18/03/2015
	Michael Kerley	01/07/2013
	Kylie Swales	27/05/2016
	Juli Mann	06/04/2016
	Luke Mangano	19/11/2014
	Gavin Duncan	19/11/2014
	David Fixter	13/05/2015
	Craig Sell	18/08/2015
Elected State Organiser (Honorary)	Tony Beers	17/09/2013
	Rob Carson	17/09/2013
	Daryl (Hag) Harrison	17/09/2013
	David Fixter	06/04/2016
	Wally Boulton	15/08/2014

Zac Beers	16/10/2013
Cathy Janetzki	17/09/2013
Paul Robertson	17/09/2013
Sharon Winn	17/09/2013
Luke Mangano	19/11/2014
Terry Cross	18/03/2015
Gavin Duncan	18/03/2015
Jim Wilson	13/05/2015
Stephen Christian	18/08/2015
Craig Sell	06/04/2016
Juli Mann	27/05/2016



FairWork
Commission

24 May 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union
Email: members@awu.net.au

Dear Mr McDine,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders of The Australian Workers' Union.

This information was lodged with the Fair Work Commission (the Commission) 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
20 May 2016	National	National Vice President (Honorary)
20 May 2016	Queensland Branch	National Executive Member (Honorary)

Please note that the RO Act requires that a notification of change must be lodged within 35 days of the change occurring.

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Friday, 20 May 2016 2:19 PM
To: Orgs
Cc: Stephen Crawford
Subject: Notice of changes made to records kept under s 230 (1) (c)
Attachments: s 233 Notice AWU National Officials & AWU Queensland Branch.pdf

Categories: RIA

Dear Sir / Madam

Please find attached a Notice of changes made to records kept.

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

20 May 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union (National Positions) and the AWU Queensland Branch.

Yours faithfully,

**Scott McDine
NATIONAL SECRETARY**

20 May 2016

**Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION**

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU National Office.

National Vice President (Honorary), Rodney Stockham, resigned 31 March 2016.

Keith Ballin, appointed to National Vice President (Honorary), 28 April 2016.

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

**Scott McDine
NATIONAL SECRETARY**

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Scott McDine of Level 10, 377-383 Sussex Street Sydney, in the State of New South Wales, National Secretary of The Australian Workers' Union, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the National Secretary of The Australian Workers' Union.
2. On 31 March 2016, the following person resigned from Office:
 - Rodney Stockham - National Vice President (Honorary)
3. The AWU is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
4. The resigning official commenced his Office on 1 July 2013 and term of the Office is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
5. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the National Executive Members are authorised to make appointments to the vacant position.
6. Attached to this declaration and marked "A" is a true and correct copy of the Postal Ballot conducted on 21 April 2016, which closed on 28 April 2016, appointing Keith Ballin as a National Vice-President (Honorary) of The Australian Workers' Union.
7. Attached to this declaration and marked "B" is a true and correct copy of the Postal Ballot result appointing Keith Ballin as a National Vice-President (Honorary) of The Australian Workers' Union.
8. Attached to this declaration and marked "C" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office of the AWU National Executive as a result of the appointment of 28 April 2016.


AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Sydney on this 20th day of May 2016.

DEPONENT


SCOTT MCDINE
NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION

BEFORE ME


DEBRA BUSHELL
JUSTICE OF THE PEACE NO:147535

**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T (02) 8005 3333 F (02) 8005 3300
E enquiries@awu.net.au W www.awu.net.au
Members Hotline: 1300 885 853
Scott McDine National Secretary



AWU 28 053 022 582

Circular 73/2016

21 April 2016

**CIRCULAR LETTER TO MEMBERS OF THE
NATIONAL EXECUTIVE
POSTAL BALLOT**

Dear Colleagues,

Re: Appointment of National Vice-President

The National Office has received written confirmation that Rodney Stockham has resigned from all elected positions with The Australian Workers' Union effective 31 March 2016.

Due to the resignation of Rodney Stockham as National Vice-President, it is recommended that Keith Ballin be appointed to fill the vacancy of National Vice-President.

Currently, Keith Ballin holds the position of Queensland Branch National Executive Member (Honorary) per the elections results E2012/412. Keith Ballin will resign his position of Queensland Branch National Executive Member (Honorary) and the Queensland Branch will take the necessary action to fill this vacancy.

As it is both inconvenient and costly to call a meeting of the National Executive to decide this matter, we consider it advisable to submit this matter to the National Executive for determination by way of a postal ballot.

Please complete, sign and return the Postal Ballot Resolution, using any of the following options by 12.00pm (EST) Thursday 28 April 2016.

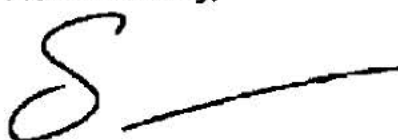
1. Sign the Postal Ballot page and fax to 02 8005 3300;
2. Sign and scan the Postal Ballot page and email to debra.bushell@nat.awu.net.au;
3. Indicate your response to the Postal Ballot Resolution in an email to debra.bushell@nat.awu.net.au

If option 3 is your preferred choice, the following text should be included in the email response:-

"I agree/disagree to pass the Postal Ballot Resolution provided to me on 21 April 2016 in relation to the appointment of Keith Ballin as National Vice President (Honorary).

This email constitutes my signature on the document as at the date of this email.

Yours fraternally,



Scott McDine
NATIONAL SECRETARY



Misha Zelinsky
NATIONAL VICE PRESIDENT

Ballot Paper



THE
AUSTRALIAN
WORKERS'
UNION

**STRONGER
TOGETHER**

AWU NATIONAL EXECUTIVE BALLOT PAPER SUBMISSION OF A MATTER TO A VOTE OF NATIONAL EXECUTIVE MEMBERS BY A BALLOT

"A"

RE: APPOINTMENT OF NATIONAL VICE-PRESIDENT

"The National Executive of The Australian Workers' Union hereby resolves:-

"The National Executive accepts the resignation of Rodney Stockham from the office of National Vice-President with effect from 31 March 2016.

"In accordance with Rule 65 of the AWU Rules, the National Executive hereby appoints Keith Ballin as a National Vice-President of The Australian Workers' Union effective immediately and for the remainder of the Term of Office."

I AM IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

I AM NOT IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

Postal Ballot closes 12.00pm (EST) Thursday 28 April 2016

10,377-
 8:05 33:
 mbers@aw
 ers Hotline: 1-800-



**CIRCULATE TO MEMBERS OF THE
NATIONAL BOARD**

1000

The subject was arrested on a warrant of the Western District of New York, dated 21 April 2016, (Case # 16cv00001), which stated at 12:00pm (EDT) on Thursday 23 April 2016, regarding the above matter as follows:

Total number of letters distributed	120	20
Total number of letters returned	140	20
Total number received after closing time	120	20
Total number of "Yes" votes	140	20
Total number of "No" votes	120	20

Abstract



Abstract

S

List of Offices / List of Office Holders**THE AUSTRALIAN WORKERS' UNION**
2016 NATIONAL EXECUTIVE

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY) x 7	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Peter Lamps GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
	Misha Zelinsky Level 10 377-383 Sussex Street SYDNEY NSW 2000	Union Official
	Marina Chambers GPO Box 88 Brisbane QLD 4000	Union Official
NATIONAL SECRETARY	Scott McDine Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official

**NATIONAL EXECUTIVE
MEMBERS**

Ben Swan
GPO Box 88
Brisbane QLD 4001

Union Official

Steve Baker
GPO Box 13
Brisbane QLD 4001

Union Official

Troy Spence
PO Box 88
Brisbane QLD 4001

Union Official

Peter Gunsberger
PO Box 738
Innisfail QLD 4860

Union Official

Tracey Sharpe
PO Box 508
Toowoomba QLD 4350

Union Official

Richard Downie
PO Box 226
Mayfield NSW 2304

Union Official

Russ Collison
PO Box 20
Granville NSW 2142

Union Official

Kevin Brown
PO Box 20
Granville NSW 2142

Union Official

Paul Noack
PO Box 20
Granville NSW 2142

Union Official

Wayne Phillips
PO Box 1506
Wollongong NSW 2500

Union Official

Ben Davis
685 Spencer Street
West Melbourne VIC 3003

Union Official

Gavin Penn
685 Spencer Street
West Melbourne VIC 3003

Union Official

Jimmy Mastrandonakis
685 Spencer Street

Union Official

West Melbourne VIC 3003

Ian Wakefield
PO Box 129
North Hobart Tas 7002

Union Official

Wayne Hanson
GPO Box 2577
Adelaide SA 5001

Union Official

Stephen Price
PO Box 8122
Perth Business Centre
Perth WA 6849

Union Official

Mike Zoetbrood
PO Box 8122
Perth Business Centre
Perth WA 6849

Union Official

**STRONGER
TOGETHER**

AWUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4001
Members Hotline 1800 871 449
T: (07) 3221 8844 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



ABN 54942538009

12 May 2016



Scott McDine
National Secretary
Australian Workers Union
Level 10
377-383 Sussex Street
SYDNEY NSW 2000

Dear Scott,

**Re: The Australian Workers' Union, Queensland Branch
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union, Queensland Branch.

Yours faithfully,

**BEN SWAN
BRANCH SECRETARY**

Secretary: Ben Swan

Date 12 May 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 29 April 2016:

Rodney Stockham resigned 31/03/16. **Keith Ballin** elected to replace Rodney Stockham as National Vice President but currently holds the position of National Executive Member therefore replaced as follows:

National Executive Member – Troy Spence – Branch Executive Resolution carried 29/04/2016

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:



BEN SWAN
BRANCH SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Benjamin Charles Swan, of Level 12/333 Adelaide Street, in the State of Queensland, Branch Secretary of The Australian Workers' Union, Queensland Branch, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, Queensland Branch (AWU Qld).
2. The AWU Qld Branch Executive Committee is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the Branch Office elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
3. The resigning officials commenced their Office on 1 July 2013 and term of their Office is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
4. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the Branch Executive Committee members are authorised to make appointments to the vacant position/s.
5. All members of the AWU Qld Branch Executive Committee were properly notified that a meeting of the AWU Qld Branch Executive would be convened on 29 April 2016.
6. During the AWU Qld Branch Executive held on 29 April 2016 the AWU Qld Branch Executive appointed the following persons to fill the specified vacant Offices in AWU Queensland Branch:
 - Troy Spence as National Executive Member

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting held on 29 April 2016.

7. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU Queensland Branch Office as a result of the appointments of 29 April 2016.
8. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Brisbane on this twelfth day of May 2016.

DEPONENT



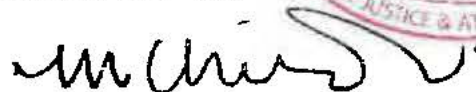
**BEN SWAN
BRANCH SECRETARY
THE AUSTRALIAN WORKERS' UNION**

BEFORE ME

NAME Melinda Chisholm

AUTHORITY TO WITNESS JP Qual 111924

SIGNATURE



A

**MINUTES OF MEETING OF THE BRANCH EXECUTIVE OF THE
AUSTRALIAN WORKERS' UNION, QUEENSLAND BRANCH, HELD ON
FRIDAY 29 APRIL 2016, AT 333 ADELAIDE STREET, BRISBANE AND
VIA VIDEO CONFERENCE**

MORNING SESSION

PRESENT:

BRANCH SECRETARY:

BRANCH PRESIDENT: M CHAMBERS

BRANCH VICE PRESIDENT : T SHARPE

BRANCH VICE PRESIDENT : K BALLIN

ACTING BRANCH SECRETARY: S BAKER

REPRESENTATIVES:

SOUTHERN

CENTRAL
T BEERS

FAR NORTHERN
D FIXTER

NORTHERN
P ROBERTSON

SOUTH WESTERN
B HARDING

WESTERN

METALS & CONSTRUCTION
T SPENCE

ROLL CALL

The Branch President, M. Chambers declared the meeting open at 9.05 am when all Representatives were in attendance with the exception of Ben Swan, Jack Liston and Don Bulow who were absent on urgent Union business.

1(a) ADMISSION OF OBSERVERS

Moved: Steve Baker

"That the Branch Executive notes there were no observers to admit."

Seconded: Marina Williams CARRIED

4(a) FILLING VACANT OFFICES

Moved: Steve Baker

"That the Branch Executive received notice on 31 March 2016 of Cowboy Stockham's resignation from all elected positions with The Australian Workers' Union. This included his position as National Vice-President.

Keith Ballin was appointed by the National Executive to the vacant position of National Vice-President on 28 April 2016.

Branch Executive has received correspondence from Keith Ballin confirming his resignation from the position of Queensland Branch – National Executive Member (Honorary) effective immediately.

On this basis and in accordance with Rule 65, the Branch Executive hereby appoints Troy Spence to the vacant position of Queensland branch – National Executive Member (Honorary). The appointment will take effect immediately

Branch Executive has confirmed that Keith Ballin and Troy Spence are eligible to hold elected positions with the AWU."

Seconded: Bede Harding

CARRIED

Role	Names	Date Appointed / Date Elected
Branch Secretary	Ben Swan	01/07/2013
Branch President	Marina Chambers	05/04/2016
Branch Vice President	Steve Baker	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	05/04/2016
District Secretary	Peter Gunsberger	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	01/07/2013
	Steve Baker	01/07/2013
	Troy Spence	01/07/2013
	Daniel Liston	08/09/2014
	Bede Harding	05/04/2016
Branch Executive Member	Peter Gunsberger	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	01/07/2013
	Steve Baker	01/07/2013
	Troy Spence	01/07/2013
	Daniel Liston	15/09/2014
	Ben Swan	01/07/2013
	Marina Chambers	01/07/2013
	Tony Beers	01/07/2013
	Paul Robertson	01/07/2013
	Don Bulow	01/07/2013
	Bede Harding	06/04/2016
National Executive Member	Ben Swan	01/07/2013
	Steve Baker	01/07/2013
	Peter Gunsberger	01/07/2013
	Tracey Sharpe	01/07/2013
	Troy Spence	29/04/2016
Elected Delegate (Branch Delegates' Meeting)	Cathy Janetzki	01/07/2013
	Daniel Liston	08/09/2014
	Tony Beers	01/07/2013
	Zac Beers	01/07/2013
	Rob Carson	01/07/2013
	Daryl (Hag) Harrison	01/07/2013
	Paul Robertson	01/07/2013
	Sharon Winn	01/07/2013
	Wally Boulton	01/07/2013
	Terry Cross	01/07/2013
	Marina Chambers	01/07/2013
	Peter Ward	01/07/2013
	Jim Wilson	18/03/2015
	Stephen Christian	18/03/2015
	Michael Kerley	01/07/2013
	Luke Mangano	19/11/2014

Gavin Duncan	19/11/2014
Juli Mann	06/04/2016
David Fixter	12/05/2015
Craig Sell	18/08/2015

National Conference Delegate

Steve Baker	01/07/2013
Keith Ballin	01/07/2013
Tony Beers	01/07/2013
Don Bulow	01/07/2013
Rob Carson	01/07/2013
Peter Gunsberger	01/07/2013
Daryl (Hag) Harrison	01/07/2013
Paul Robertson	01/07/2013
Tracey Sharpe	01/07/2013
Troy Spence	01/07/2013
Zac Beers	16/10/2013
Sharon Winn	01/07/2013
Bede Harding	18/03/2015
Ben Swan	01/07/2013
Daniel Liston	05/11/2014
Luke Mangano	19/11/2014
Cathy Janetzki	15/12/2014
Wally Boulton	12/05/2015
Terry Cross	18/08/2015

Elected Branch Organiser

Wally Boulton	15/08/2014
Zac Beers	16/10/2013
David Fixter	06/04/2016
Tony Beers	01/07/2013
Rob Carson	01/07/2013
Craig Sell	06/04/2016
Daryl (Hag) Harrison	01/07/2013
Cathy Janetzki	01/07/2013
Daniel Liston	01/07/2013
Paul Robertson	01/07/2013
Sharon Winn	01/07/2013
Luke Mangano	19/11/2014
Deanne Screen	19/11/2014
Terry Cross	18/03/2015
Gavin Duncan	18/03/2015
Jim Wilson	12/05/2015
Stephen Christian	18/08/2015

“B”


THE AUSTRALIAN WORKERS' UNION OF EMPLOYEES, QUEENSLAND BRANCH

2016 OFFICE HOLDERS AND EXECUTIVE AS AT 29/04/2016

BRANCH SECRETARY	Ben Swan GPO Box 88 Brisbane 4001	Union Official
BRANCH PRESIDENT	Marina Chambers GPO Box 88 Brisbane 4001	Union Official
BRANCH VICE PRESIDENTS (Honorary) 3	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Tracey Sharpe PO Box 508 Toowoomba 4035	Union Official
NATIONAL EXECUTIVE MEMBERS (Honorary)	Tracey Sharpe PO Box 508 Toowoomba 4035	Union Official
	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Troy Spence GPO Box 88 Brisbane 4001	Union Official
	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
NATIONAL CONFERENCE DELEGATES (Honorary)	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Tony Beers PO Box 5097 Gladstone 4680	Union Official
	Don Bulow C/- GPO Box 13 Brisbane 4001	Concrete Laborer
	Robert Carson PO Box 50 Mount Isa 4825	Union Official

	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
	Terry Cross GPO Box 13 Brisbane 4001	Union Official
	Bede Harding GPO Box 88 Brisbane 4001	Union Official
	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Tracey Sharpe PO Box 508 Toowoomba 4350	Union Official
	Troy Spence GPO Box 88 Brisbane 4001	Union Official
	Zac Beers PO Box 5097 Gladstone 4680	Union Official
	Sharon Winn PO Box 854 Cairns 4870	Union Official
	Jack Liston PO Box 240 Longreach 4730	Union Official
	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	Wally Boulton GPO Box 13 Brisbane 4001	Union Official
	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
CENTRAL DISTRICT		
CENTRAL DISTRICT SECRETARY	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Tony Beers PO Box 5097 Gladstone 4680	Union Official
BRANCH ORGANISER	Tony Beers PO Box 5097 Gladstone 4680	Union Official
BRANCH ORGANISER	Zac Beers PO Box 5097 Gladstone 4680	Union Official

BRANCH ORGANISER	Craig Sell PO Box 289 Rockhampton 4700	Union Official
BRANCH ORGANISER	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
FAR NORTHERN DISTRICT		
FAR NORTHERN DISTRICT SECRETARY	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
	Kylie Swales PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	Stephen Christian PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	Sharon Winn PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	David Fixter PO Box 854 Cairns 4870	Union Official
NORTHERN DISTRICT		
NORTHERN DISTRICT SECRETARY	Bede Harding PO Box 50 Mount Isa 4825	Union Official
BRANCH EXECUTIVE MEMBERS (Honorary)	Paul Robertson PO Box 115 Mackay 4740	Union Official
BRANCH ORGANISER	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	Juli Mann PO Box 1035 Townsville 4810	Union Official
BRANCH ORGANISER	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Robert Carson PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Damian Hale GPO Box 3845 Darwin 0801	Union Official

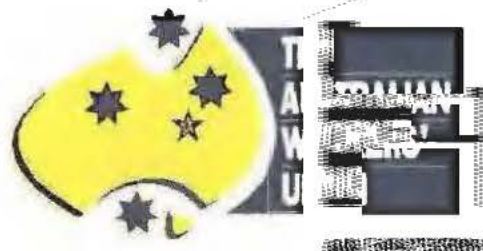
SOUTHERN DISTRICT		
SOUTHERN DISTRICT SECRETARY	Steve Baker GPO Box 13 Brisbane 4001	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Don Bulow C/- GPO Box 13 Brisbane 4001	Concrete Laborer
	Alan Bolton GPO Box 13 Brisbane 4001	Union Official
	Jason Shepherd GPO Box 13 Brisbane 4001	Union Official
BRANCH ORGANISER	Walter Boulton C/- GPO Box 13 Brisbane 4001	Union Official
BRANCH ORGANISER	Terry Cross 	Union Official
SOUTH WESTERN DISTRICT		
SOUTH WESTERN DISTRICT SECRETARY	Tracey Sharpe PO Box 508 Toowoomba 4350	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Bede Harding PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
WESTERN DISTRICT		
WESTERN DISTRICT SECRETARY	Jack Liston PO Box 240 Longreach 4730	Union Official
BRANCH EXECUTIVE MEMBER (Honorary) BRANCH ORGANISER	Jack Liston PO Box 240 Longreach 4730	Union Official
METALS AND CONSTRUCTION DIVISION		
M&C DISTRICT SECRETARY	Troy Spence GPO Box 88 Brisbane 4001	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Troy Spence GPO Box 88 Brisbane 4001	Union Official
BRANCH PRESIDENT (Honorary)	Jim Wilson GPO Box 88 Brisbane 4001	Union Official
BRANCH VICE PRESIDENT (Honorary)	Paul Cradden GPO Box 88 Brisbane 4011	Union Official
BRANCH ORGANISER	Jim Wilson GPO Box 88 Brisbane 4001	Union Official

	Paul Cradden GPO Box 88 Brisbane 4011	Union Official
	Marina Chambers GPO Box 88 Brisbane 4001	Union Official
BRANCH DELEGATE TO DELEGATES MEETING	Wally Boulton GPO Box 13 Brisbane 4001	Union Official
	Terry Cross GPO Box 13 Brisbane 4001	Union Official
	Tony Beers PO Box 5097 Gladstone 4680	Union Official
	Jim Wilson GPO Box 13 Brisbane 4001	Union Official
	Robert Carson PO Box 50 Mount Isa 4825	Union Official
	Marina Williams GPO Box 88 Brisbane 4001	Union Official
	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
	Craig Sell PO Box 289 Rockhampton 4700	Union Official
	Stephen Christian PO Box 854 Cairns 4870	Union Official
	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Michael Kerley c/- PO Box 1035 Townsville 4810	Union Official
	Peter Ward c/- PO Box 1057 Gladstone 4670	Union Official
	Zac Beers PO Box 5097 Gladstone 4680	Union Official
	Sharon Winn PO Box 854 Cairns 4870	Union Official
	Jack Liston PO Box 240 Longreach 4730	Union Official

	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	David Fixter PO Box 854 Cairns 4870	Union Official
	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
	Julianne Mann PO Box 1035 Townsville 4810	Union Official

STRONGER TOGETHER

AWUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD.
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 87
E: secretary@awu.org.au
Address all correspondence to the



20 April 2015

Re: Work Australia

Hand Delivered

Dear Sir/Madam,

Please be advised that I will be on annual leave from Thursday 20 April 2015, and I will return to work on Saturday 21 April 2015.

The Branch Executive of The Australian Workers' Union met to elect Steve Baker as the Acting Branch Secretary while I am on leave. Please note this was approved and adopted at the meeting of the Branch Executive on the 17th April 2015.

If you have any queries please do not hesitate to contact this office.

Yours truly,

NEW SWAN
BRANCH SECRETARY

Secretary, New Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland

www.qld.awu.net.au



15 April 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union
Email: members@awu.net.au

Dear Mr McDine,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders of The Australian Workers' Union.

This information was lodged with the Fair Work Commission (the Commission) 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 Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Branch	Change
13 April 2016	Queensland Branch	Various Office Holders

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,
Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Wednesday, 13 April 2016 4:09 PM
To: Orgs
Subject: FW: s 233 Notice of AWU Queensland Branch April 2016
Attachments: s 233 Notice AWU Queensland Branch.pdf

Categories: RIA

Dear Sir/Madam

Please find attached a s 233 notice regarding changes to elected positions within the AWU Queensland Branch.

Kind regards

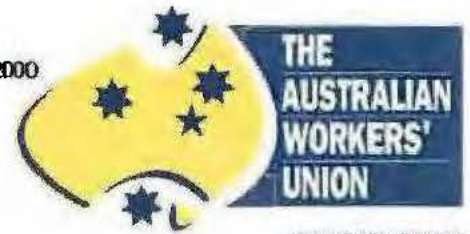
Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: [www.twitter.com/AWUnion](https://twitter.com/AWUnion)



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**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

13 April 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached a declaration of recent changes of elected positions within The Australian Workers' Union, Queensland Branch.

Yours faithfully,

Scott McDine
NATIONAL SECRETARY

Attachment

STRONGER TOGETHER

AWUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD.
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 87
E: secretary@awu.org.au



6 April 2016

Scott McInnes
National Secretary
Australian Workers Union
Level 10
377-383 Sussex Street
SYDNEY NSW 2000



Dear Scott,

Re: The Australian Workers' Union, Queensland Branch
Notice of changes made to records kept under s 230 (1) (c)

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union, Queensland Branch.

Yours faithfully,


BRANCH SECRETARY

Secretary: Sam Dean

The Australian Workers' Union, Queensland Branch
The Australian Workers' Union of Employees, Queensland

www.qld.awu.net.au

Date 6 April 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 5 and 6 April 2016:

Rodney Stockham resigned 31/03/16 replaced as follows:

Branch President – Marina Chambers – Branch Executive Resolution carried 05/04/2016
Northern District Secretary – Bede Harding – Branch Executive Resolution carried 05/04/2016

Marina Chambers elected as Branch President but currently holds the position of Branch Vice President, Branch Organiser and Metals & Construction President therefore replaced as follows:

Branch Vice President – Tracey Sharpe – Branch Executive Resolution carried 05/04/2016
Branch Organiser – Craig Sell – Postal Ballot carried 06/04/2016
Metals & Construction President – Jim Wilson – Postal Ballot carried 06/04/2016

Bede Harding elected as Northern District Secretary but currently holds the position of Branch Organiser, Branch Delegate to Delegate's Meeting and Metals & Construction Vice President therefore replaced as follows:

Branch Organiser – David Fixter – Postal Ballot carried 06/04/2016
Branch Delegate to Delegate's Meeting – Julianne Mann – Postal Ballot carried 06/04/2016
Metals & Construction Vice President – Paul Cradden – Postal Ballot carried 06/04/2016

Tracey Sharpe elected as Branch Vice President but currently holds the position of South Western District Branch Executive Committee Member therefore replaced as follows:

South Western District Branch Executive Committee Member – Bede Harding – Postal Ballot carried 06/04/2016

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:



BEN SWAN
BRANCH SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Benjamin Charles Swan, of Level 12/333 Adelaide Street, in the State of Queensland, Branch Secretary of The Australian Workers' Union, Queensland Branch, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, Queensland Branch (AWU Qld).
2. The AWU Qld Branch Executive Committee is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the Branch Office elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
3. The resigning officials commenced their Office on 1 July 2013 and term of their Office is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
4. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the Branch Executive Committee members are authorised to make appointments to the vacant position/s.
5. All members of the AWU Qld Branch Executive Committee were properly notified that a meeting of the AWU Qld Branch Executive would be convened on 5 April 2016 and were sent relevant postal ballots on 5 & 6 April 2016.
6. During the AWU Qld Branch Executive held on 5 April 2016 and following the collation of results of the postal ballots carried on 6 April 2016, the AWU Qld Branch Executive appointed the following persons to fill the specified vacant Offices in AWU Queensland Branch:
 - Marina Chambers as Branch President
 - Tracey Sharpe as Branch Vice President
 - Bede Harding as Northern District Secretary
 - Bede Harding as South Western District Branch Executive Committee Member
 - David Fixter as Branch Organiser
 - Craig Sell as Branch Organiser
 - Julianne Mann as Branch Delegate to Delegate's Meeting
 - Jim Wilson as Metals & Construction President
 - Paul Cradden as Metals & Construction Vice President

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting held on 5 April 2016 and a true and correct copy of the confirmation of the postal ballots carried on 6 April 2016.

7. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU Queensland Branch Office as a result of the appointments of 5 and 6 April 2016.
8. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Brisbane on this sixth day of April 2016.

DEPONENT

**BEN SWAN
BRANCH SECRETARY
THE AUSTRALIAN WORKERS' UNION**

BEFORE ME

NAME Melinda Chisholm

AUTHORITY TO WITNESS JP Qld 111924

SIGNATURE



MINUTES OF MEETING OF THE BRANCH EXECUTIVE OF THE AUSTRALIAN WORKERS' UNION, QUEENSLAND BRANCH, HELD ON TUESDAY 5 APRIL 2016, AT 333 ADELAIDE STREET, BRISBANE AND VIA VIDEO CONFERENCE

MORNING SESSION

PRESENT:

BRANCH SECRETARY	:	B SWAN
BRANCH PRESIDENT	:	
VICE PRESIDENT	:	M CHAMBERS
VICE PRESIDENT	:	K BALLIN
VICE PRESIDENT	:	S BAKER

REPRESENTATIVES:

SOUTHERN	CENTRAL
D BULOW	T BEERS
FAR NORTHERN	NORTHERN
D FIXTER	P ROBERTSON
SOUTH WESTERN	WESTERN
T SHARPE	J LISTON

METALS & CONSTRUCTION
T SPENCE

ROLL CALL

The Branch Vice President, M. Chambers declared the meeting open at 8.30 am when all Representatives were in attendance.

1(a) ADMISSION OF OBSERVERS

Moved: Ben Swan

"That the Branch Executive notes there were no observers to admit."

Seconded: Tracey Sharpe CARRIED

4(c) FILLING VACANT OFFICES

Moved: Ben Swan

"That with regards to the vacancy that has occurred with the resignation of Cowboy Stockham as of 31 March 2016, thus creating a vacancy as an elected Branch President and Northern District Secretary, it is recommended that this Branch Executive elects to appoint the following persons to fill such vacancies, persons eligible to hold such positions in accordance with Rule 65 – Filling Vacant Offices:

Branch President – Marina Chambers
Northern District Secretary – Bede Harding

Owing to the fact Marina Chambers currently holds the position of Branch Vice President, this Branch Executive elects to appoint the following person to fill such vacancy, a person eligible to hold such position in accordance with Rule 65 – Filling Vacant Offices:

Branch Vice President – Tracey Sharpe."

Seconded: Steve Baker CARRIED BY ACCLAMATION

5(a) BARCALDINE LABOUR DAY

Moved: Don Bulow

"That the report of the Branch Secretary regarding Barcaldine Labour Day be received and that it be noted."

Seconded: Keith Ballin CARRIED

Moved: Troy Spence

"A motion to suspend standing orders is moved."

Seconded: Don Bulow CARRIED

Moved: Troy Spence

"A motion to resume standing orders is moved."

Seconded: Don Bulow CARRIED

**STRONGER
TOGETHER**

AWUEQ
BRANCH OFFICE
Level 12, 333 Adelaide Street
BRISBANE, QLD 4000
GPO Box 88, BRISBANE, QLD, 4001
Members Hotline 1800 671 449
T: (07) 3221 8844 F: (07) 3221 8700
E: secretary@awu.org.au
Address all correspondence to the Secretary



ABN 54942530089

MEMO TO: MEMBERS OF THE EXECUTIVE OF THE AWU QUEENSLAND BRANCH
FROM: BEN SWAN - SECRETARY
DATE: 6 April 2016
SUBJECT: FILLING VACANT OFFICES - QLD BRANCH - SOUTH WESTERN BRANCH
EXECUTIVE COMMITTEE MEMBER

The postal ballot forwarded to members of the Executive dated 6 April 2016 which closed at 2.30 PM on Wednesday 6 April 2016 regarding the following resolution:

I agree/disagree to pass the postal ballot resolution provided to me on 6 April 2016 with respect to the filling of vacant offices that has occurred with the election of Tracey Sharpe to the position of Branch Vice President, thus creating a vacancy as a South Western Branch Executive Committee Member.

resulted as follows:

Total number of ballots distributed:	12
Total number of ballots returned:	7
Total number received after closing time:	0
Total number of 'Yes' votes:	7
Total number of 'No' votes:	0

I therefore declare the ballot CARRIED

Yours faithfully,

**BEN SWAN
SECRETARY**

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

**STRONGER
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ABN 54942536089

6 April 2016

CIRCULAR LETTER TO MEMBERS OF THE AWU QUEENSLAND BRANCH EXECUTIVE

POSTAL BALLOT

FILLING VACANT OFFICES - QLD BRANCH - SOUTH WESTERN BRANCH EXECUTIVE COMMITTEE MEMBER

That with regards to the vacancy that has occurred with the election of Tracey Sharpe to the position of Branch Vice President as of 5 April 2016, thus creating a vacancy as an elected South Western Branch Executive Committee Member, it is recommended that this Branch Executive elects to appoint Bede Harding to fill such vacancy, a person eligible to hold such position in accordance with Rule 65 - Filling Vacant Offices.

As it is both inconvenient and costly to call a meeting of the AWU QUEENSLAND BRANCH Executive in Brisbane to decide the matter, I consider it advisable to submit this matter to the AWU QUEENSLAND BRANCH Executive for determination by way of postal ballot.

Accordingly, I seek your agreement to the following resolution -

I agree/disagree to pass the postal ballot resolution provided to me on 6 April 2016 with respect to the filling of vacant offices that has occurred with the election of Tracey Sharpe to the position of Branch Vice President, thus creating a vacancy as a South Western Branch Executive Committee Member.

Please complete, sign and return the Postal Ballot Resolution, using any of the following options by **2.30 PM, Wednesday 6 April 2016:**

1. Sign the Postal Ballot page and fax to 07 3221 8700
2. Sign and scan the Postal Ballot page and email to erica.kurth@awu.org.au
3. Indicate your response to the Postal Ballot Resolution in an email to erica.kurth@awu.org.au

If option 3 is your preferred choice, the following text should be included in the email response:-

"I agree/disagree to pass the postal ballot resolution provided to me on 6 April 2016 with respect to the filling of vacant offices that has occurred with the election of Tracey Sharpe to the position of Branch Vice President, thus creating a vacancy as a South Western Branch Executive Committee Member."

Yours faithfully,

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au



BEN SWAN
BRANCH SECRETARY

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

AWU QUEENSLAND BRANCH POSTAL BALLOT

RESOLUTION

I agree/disagree to pass the postal ballot resolution provided to me on 6 April 2016 with respect to the filling of vacant offices that has occurred with the election of Tracey Sharpe to the position of Branch Vice President, thus creating a vacancy as a South Western Branch Executive Committee Member.

I AM IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

I AM NOT IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

Postal Ballot closes 2.30 PM, Wednesday 6 April 2016

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

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TOGETHER**

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ABN 54942536069

MEMO TO: MEMBERS OF THE EXECUTIVE OF THE AWU QUEENSLAND BRANCH
FROM: BEN SWAN - SECRETARY
DATE: 6 April 2016
SUBJECT: FILLING VACANT OFFICES - AWU QUEENSLAND BRANCH

The postal ballot forwarded to members of the Executive dated 5 April 2016 which closed at 12.00 PM on Wednesday 6 April 2016 regarding the following resolution:

I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary.

resulted as follows:

Total number of ballots distributed:	12
Total number of ballots returned:	9
Total number received after closing time:	0
Total number of 'Yes' votes:	9
Total number of 'No' votes:	0

I therefore declare the ballot CARRIED

Yours faithfully,

**BEN SWAN
SECRETARY**

Secretary, Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

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Address all correspondence to the Secretary



ABN 5484258068

5 April 2016

CIRCULAR LETTER TO MEMBERS OF THE AWU QUEENSLAND BRANCH EXECUTIVE

POSTAL BALLOT

FILLING VACANT OFFICES - AWU QUEENSLAND BRANCH

That with regards to the vacancies that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary as of 5 April 2016, thus creating a vacancy as an elected Branch Delegate to Delegates meeting and two vacancies as Branch Organiser, it is recommended that this Branch Executive elects to appoint the following persons to fill such vacancies, persons eligible to hold such positions in accordance with Rule 65 – Filling Vacant Offices:

Branch Delegate to Delegates meeting – Julianne Mann; Branch Organiser – David Fixter; Branch Organiser - Craig Sell

As it is both inconvenient and costly to call a meeting of the AWU QUEENSLAND BRANCH Executive in Brisbane to decide the matter, I consider it advisable to submit this matter to the AWU QUEENSLAND BRANCH Executive for determination by way of postal ballot.

Accordingly, I seek your agreement to the following resolution -

I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary.

Please complete, sign and return the Postal Ballot Resolution, using any of the following options by **12.00 PM, Wednesday 6 April 2016:**

1. Sign the Postal Ballot page and fax to 07 3221 8700
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3. Indicate your response to the Postal Ballot Resolution in an email to erica.kurth@awu.org.au

If option 3 is your preferred choice, the following text should be included in the email response:-

"I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary. "

Yours faithfully,

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au



BEN SWAN
BRANCH SECRETARY

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

AWU QUEENSLAND BRANCH POSTAL BALLOT

RESOLUTION

I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary.

I AM IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

I AM NOT IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

Postal Ballot closes 12.00 PM, Wednesday 6 April 2016

Secretary. Ben Swan

**The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.**

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ABN 54942539089

MEMO TO: MEMBERS OF THE EXECUTIVE OF THE AWU QUEENSLAND BRANCH
FROM: BEN SWAN - SECRETARY
DATE: 6 April 2016
SUBJECT: FILLING VACANT OFFICES - AWU QLD BRANCH - METALS AND CONSTRUCTION

The postal ballot forwarded to members of the Executive dated 5 April 2016 which closed at 12.00 PM on Wednesday 6 April 2016 regarding the following resolution:

I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary.

resulted as follows:

Total number of ballots distributed:	12
Total number of ballots returned:	9
Total number received after closing time:	0
Total number of 'Yes' votes:	9
Total number of 'No' votes:	0

I therefore declare the ballot CARRIED

Yours faithfully,

BEN SWAN
SECRETARY

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

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ABN 54942536089

5 April 2016

CIRCULAR LETTER TO MEMBERS OF THE AWU QUEENSLAND BRANCH EXECUTIVE

POSTAL BALLOT

FILLING VACANT OFFICES - AWU QLD BRANCH - METALS AND CONSTRUCTION

That with regards to the vacancies that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary as of 5 April 2016, thus creating a vacancy as an elected Metals Construction District President and Vice President, it is recommended that this Branch Executive elects to appoint the following persons to fill such vacancies, persons eligible to hold such positions in accordance with Rule 65 – Filling Vacant Offices:

Metals and Construction President - Jim Wilson; Metals and Construction Vice President - Paul Cradden

As it is both inconvenient and costly to call a meeting of the AWU QUEENSLAND BRANCH Executive in Brisbane to decide the matter, I consider it advisable to submit this matter to the AWU QUEENSLAND BRANCH Executive for determination by way of postal ballot.

Accordingly, I seek your agreement to the following resolution -

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"I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary. "

Yours faithfully,

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

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BEN SWAN
BRANCH SECRETARY

Secretary: Ben Swan

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

AWU QUEENSLAND BRANCH POSTAL BALLOT

RESOLUTION

I agree/disagree to pass the postal ballot resolution provided to me on 5 April 2016 with respect to the filling of vacant offices that have occurred with the election of Marina Chambers to the position of Branch President and Bede Harding to the position of Northern District Secretary.

I AM IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

I AM NOT IN FAVOUR OF THE ABOVE RESOLUTION

Signed

Print Name

Date

Postal Ballot closes 12.00 PM, Wednesday 6 April 2016

Secretary: Ben Swan

**The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.**

www.qld.awu.net.au

"B"

THE AUSTRALIAN WORKERS' UNION OF EMPLOYEES, QUEENSLAND BRANCH

2016 OFFICE HOLDERS AND EXECUTIVE AS AT 06/04/2016

BRANCH SECRETARY	Ben Swan GPO Box 88 Brisbane 4001	Union Official
BRANCH PRESIDENT	Marina Chambers GPO Box 88 Brisbane 4001	Union Official
BRANCH VICE PRESIDENTS (Honorary) 3	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Tracey Sharpe PO Box 508 Toowoomba 4035	Union Official
NATIONAL EXECUTIVE MEMBERS (Honorary)	Tracey Sharpe PO Box 508 Toowoomba 4035	Union Official
	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
NATIONAL CONFERENCE DELEGATES (Honorary)	Steve Baker GPO Box 13 Brisbane 4001	Union Official
	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
	Tony Beers PO Box 5097 Gladstone 4680	Union Official
	Don Bulow C/- GPO Box 13 Brisbane 4001	Concrete Laborer
	Robert Carson PO Box 50 Mount Isa 4825	Union Official

	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
	Terry Cross GPO Box 13 Brisbane 4001	Union Official
	Bede Harding GPO Box 88 Brisbane 4001	Union Official
	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Tracey Sharpe PO Box 508 Toowoomba 4350	Union Official
	Troy Spence GPO Box 88 Brisbane 4001	Union Official
	Zac Beers PO Box 5097 Gladstone 4680	Union Official
	Sharon Winn PO Box 854 Cairns 4870	Union Official
	Jack Liston PO Box 240 Longreach 4730	Union Official
	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	Wally Boulton GPO Box 13 Brisbane 4001	Union Official
	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
CENTRAL DISTRICT		
CENTRAL DISTRICT SECRETARY	Keith Ballin PO Box 1057 Bundaberg 4670	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Tony Beers PO Box 5097 Gladstone 4680	Union Official
BRANCH ORGANISER	Tony Beers PO Box 5097 Gladstone 4680	Union Official
BRANCH ORGANISER	Zac Beers PO Box 5097 Gladstone 4680	Union Official

BRANCH ORGANISER	Craig Sell PO Box 289 Rockhampton 4700	Union Official
BRANCH ORGANISER	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
FAR NORTHERN DISTRICT		
FAR NORTHERN DISTRICT SECRETARY	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Peter Gunsberger PO Box 854 Cairns 4870	Union Official
	Kylie Swales PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	Stephen Christian PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	Sharon Winn PO Box 854 Cairns 4870	Union Official
BRANCH ORGANISER	David Fixter PO Box 854 Cairns 4870	Union Official
NORTHERN DISTRICT		
NORTHERN DISTRICT SECRETARY	Bede Harding PO Box 50 Mount Isa 4825	Union Official
BRANCH EXECUTIVE MEMBERS (Honorary)	Paul Robertson PO Box 115 Mackay 4740	Union Official
BRANCH ORGANISER	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	Juli Mann PO Box 1035 Townsville 4810	Union Official
BRANCH ORGANISER	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Robert Carson PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Damian Hale GPO Box 3845 Darwin 0801	Union Official

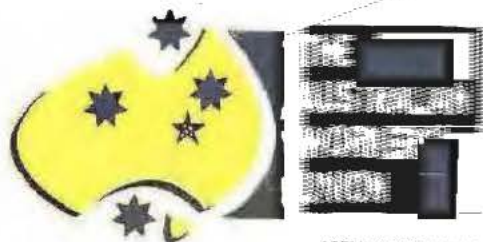
SOUTHERN DISTRICT		
SOUTHERN DISTRICT SECRETARY	Steve Baker GPO Box 13 Brisbane 4001	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Don Bulow C/- GPO Box 13 Brisbane 4001	Concrete Laborer
	Alan Bolton GPO Box 13 Brisbane 4001	Union Official
	Jason Shepherd GPO Box 13 Brisbane 4001	Union Official
BRANCH ORGANISER	Walter Boulton C/- GPO Box 13 Brisbane 4001	Union Official
BRANCH ORGANISER	Terry Cross [REDACTED]	Union Official
SOUTH WESTERN DISTRICT		
SOUTH WESTERN DISTRICT SECRETARY	Tracey Sharpe PO Box 508 Toowoomba 4350	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Bede Harding PO Box 50 Mount Isa 4825	Union Official
BRANCH ORGANISER	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
WESTERN DISTRICT		
WESTERN DISTRICT SECRETARY	Jack Liston PO Box 240 Longreach 4730	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Jack Liston PO Box 240 Longreach 4730	Union Official
BRANCH ORGANISER		
METALS AND CONSTRUCTION DIVISION		
M&C DISTRICT SECRETARY	Troy Spence GPO Box 88 Brisbane 4001	Union Official
BRANCH EXECUTIVE MEMBER (Honorary)	Troy Spence GPO Box 88 Brisbane 4001	Union Official
BRANCH PRESIDENT (Honorary)	Jim Wilson GPO Box 88 Brisbane 4001	Union Official
BRANCH VICE PRESIDENT (Honorary)	Paul Cradden GPO Box 88 Brisbane 4011	Union Official
BRANCH ORGANISER	Jim Wilson GPO Box 88 Brisbane 4001	Union Official

	Paul Cradden GPO Box 88 Brisbane 4011	Union Official
	Marina Chambers GPO Box 88 Brisbane 4001	Union Official
BRANCH DELEGATE TO DELEGATES MEETING	Wally Boulton GPO Box 13 Brisbane 4001	Union Official
	Terry Cross GPO Box 13 Brisbane 4001	Union Official
	Tony Beers PO Box 5097 Gladstone 4680	Union Official
	Jim Wilson GPO Box 13 Brisbane 4001	Union Official
	Robert Carson PO Box 50 Mount Isa 4825	Union Official
	Marina Williams GPO Box 88 Brisbane 4001	Union Official
	Daryl Harrison PO Box 50 Mount Isa 4825	Union Official
	Craig Sell PO Box 289 Rockhampton 4700	Union Official
	Stephen Christian PO Box 854 Cairns 4870	Union Official
	Paul Robertson PO Box 115 Mackay 4740	Union Official
	Michael Kerley c/- PO Box 1035 Townsville 4810	Union Official
	Peter Ward c/- PO Box 1057 Gladstone 4670	Union Official
	Zac Beers PO Box 5097 Gladstone 4680	Union Official
	Sharon Winn PO Box 854 Cairns 4870	Union Official
	Jack Liston PO Box 240 Longreach 4730	Union Official

	Luke Mangano PO Box 1035 Townsville 4810	Union Official
	David Fixter PO Box 854 Cairns 4870	Union Official
	Cathy Janetzki PO Box 508 Toowoomba 4350	Union Official
	Gavin Duncan PO Box 1057 Bundaberg 4670	Union Official
	Julianne Mann PO Box 1035 Townsville 4810	Union Official

STRONGER TOGETHER

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E: secretary@awu.org.au



#April 2016

Fair Work Commission
Queensland

#Hand Delivered



SUBJECT: THE AUSTRALIAN WORKERS' UNION, QUEENSLAND BRANCH - Elected Officers

Please see attached an updated list of Elected Officers of The Australian Workers' Union, Queensland Branch, as at 6 April 2016.

Yours faithfully,

DON CAVAN
BRANCH SECRETARY

Secretary, Fair Work

The Australian Workers' Union, Queensland Branch.
The Australian Workers' Union of Employees, Queensland.

www.qld.awu.net.au

Role	Names	Date Appointed / Date Elected
Branch Secretary	Ben Swan	01/07/2013
Branch President	Marina Chambers	05/04/2016
Branch Vice President	Steve Baker	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	05/04/2016
District Secretary	Peter Gunsberger	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	01/07/2013
	Steve Baker	01/07/2013
	Troy Spence	01/07/2013
	Daniel Liston	08/09/2014
	Bede Harding	05/04/2016
Branch Executive Member	Peter Gunsberger	01/07/2013
	Keith Ballin	01/07/2013
	Tracey Sharpe	01/07/2013
	Steve Baker	01/07/2013
	Troy Spence	01/07/2013
	Daniel Liston	15/09/2014
	Ben Swan	01/07/2013
	Marina Chambers	01/07/2013
	Tony Beers	01/07/2013
	Paul Robertson	01/07/2013
	Don Bulow	01/07/2013
	Bede Harding	06/04/2016
National Executive Member	Ben Swan	01/07/2013
	Steve Baker	01/07/2013
	Keith Ballin	01/07/2013
	Peter Gunsberger	01/07/2013
	Tracey Sharpe	01/07/2013
Elected Delegate (Branch Delegates' Meeting)	Cathy Janetzki	01/07/2013
	Daniel Liston	08/09/2014
	Tony Beers	01/07/2013
	Zac Beers	01/07/2013
	Rob Carson	01/07/2013
	Daryl (Hag) Harrison	01/07/2013
	Paul Robertson	01/07/2013
	Sharon Winn	01/07/2013
	Wally Boulton	01/07/2013
	Terry Cross	01/07/2013
	Marina Chambers	01/07/2013
	Peter Ward	01/07/2013
	Jim Wilson	18/03/2015
	Stephen Christian	18/03/2015
	Michael Kerley	01/07/2013
	Luke Mangano	19/11/2014
	Gavin Duncan	19/11/2014
	Juli Mann	06/04/2016
	David Fixter	12/05/2015
	Craig Sell	18/08/2015

National Conference Delegate

Steve Baker	01/07/2013
Keith Ballin	01/07/2013
Tony Beers	01/07/2013
Don Bulow	01/07/2013
Rob Carson	01/07/2013
Peter Gunsberger	01/07/2013
Daryl (Hag) Harrison	01/07/2013
Paul Robertson	01/07/2013
Tracey Sharpe	01/07/2013
Troy Spence	01/07/2013
Zac Beers	16/10/2013
Sharon Winn	01/07/2013
Bede Harding	18/03/2015
Ben Swan	01/07/2013
Daniel Liston	05/11/2014
Luke Mangano	19/11/2014
Cathy Janetzki	15/12/2014
Wally Boulton	12/05/2015
Terry Cross	18/08/2015

Elected Branch Organiser

Wally Boulton	15/08/2014
Zac Beers	16/10/2013
David Fixter	06/04/2016
Tony Beers	01/07/2013
Rob Carson	01/07/2013
Craig Sell	06/04/2016
Daryl (Hag) Harrison	01/07/2013
Cathy Janetzki	01/07/2013
Daniel Liston	01/07/2013
Paul Robertson	01/07/2013
Sharon Winn	01/07/2013
Luke Mangano	19/11/2014
Deanne Screen	19/11/2014
Terry Cross	18/03/2015
Gavin Duncan	18/03/2015
Jim Wilson	12/05/2015
Stephen Christian	18/08/2015



1 April 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union
Email: members@awu.net.au

Dear Mr McDine,

Annual Return of Information for 2016 [AR2016/161]

I acknowledge receipt on 15 March 2016 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 2016 Annual Return of Information of The Australian Workers' Union.

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/index.cfm?pagename=regorgslist>

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. The Australian Workers' Union 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 of The Australian Workers' Union 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.

In this regard, I note the notifications filed by The Australian Workers' Union on 24 and 30 March 2016. Our records have been updated accordingly.

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Yours sincerely

Michael Moutevelis
Regulatory Compliance Branch

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Wednesday, 30 March 2016 10:36 AM
To: Orgs
Subject: MM - AR2016/161 - Section 233 notification AWU West Australian Branch
Attachments: s 233 Notice AWU West Australian Branch.pdf

Categories: RIA

Dear Sir/Madam,

Please find attached notification of recent changes to elected positions within the AWU West Australian Branch.

Regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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STRONGER TOGETHER

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

29 March 2016

**Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Tenax Towers
80 William Street
EAST SYDNEY NSW 2011**

VIA EMAIL: orgs@fwo.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached declarations of recent changes of elected positions within The Australian Workers' Union, West Australian Branch.

Yours faithfully,



**Scott McDine
NATIONAL SECRETARY**

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 20 August 2015:

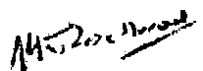
- PINJARRA SUB- BRANCH Vice President: Basil De' Monte

Additionally, The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 18 March 2016:

- AWU WA Branch Secretary: Mike Zoetbrood
- AWU WA Branch Assistant Secretary: Brad Gandy
- AWU WA Branch Executive Committee Member: Stephen Price
- National Executive Member (Honorary): Stephen Price

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:



Mike Zoetbrood
BRANCH SECRETARY

Date: 29/03/2016

**Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION**

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Mike Zoetbrood, of Level 3, 25 Barrack Street Perth, in the State of Western Australia, Branch Secretary of The Australian Workers' Union West Australian Branch, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, West Australian Branch (AWU WA).
2. On 20 August 2015, the following person resigned from Office in the AWU WA Alcoa Refinery Pinjarra Sub Branch
 - Darren Enright as the Alcoa Pinjarra Refinery Sub-Branch Vice President
3. On 18 March 2016, the following persons resigned from Office in the AWU WA Branch
 - Stephen Price as Branch Secretary
 - Mike Zoetbrood as Branch Assistant Secretary
 - Mike Zoetbrood as National Executive Member (Honorary)
 - Brad Gandy as Branch Executive Committee member
4. The AWU WA Branch Executive Committee is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the Branch Office elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
5. The Branch Secretary commenced his Office on 1 July 2013 and term of that Offices is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
6. The Assistant Branch Secretary, Branch Executive Committee Member and National Executive Member (Honorary) commenced their Office on 25 July 2014 and term of those Offices is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
7. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the Branch Executive Committee members are authorised to make appointments to the vacant position/s.
8. All members of the AWU WA Branch Executive Committee were properly notified that a meeting of the AWU WA Branch Executive would be convened on 18 March 2016.

9. During the AWU WA Branch Executive Committee members meeting on 18 March 2016, the AWU WA Branch Executive Committee members appointed the following persons to fill the specified vacant Office in the AWU West Australian Branch, Alcoa Pinjarra Refinery Sub-Branch :

- Basil De Monte' as Alcoa Pinjarra Refinery Sub Branch Vice President

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting on 18 March 2016.

10. During the AWU WA Branch Executive Committee members meeting on 18 March 2016, the AWU WA Branch Executive Committee members appointed the following persons to fill the specified vacant Offices in AWU West Australian Branch:

- Mike Zoetbrood as AWU WA Branch Secretary
- Brad Gandy as AWU WA Branch Assistant Secretary
- Stephen Price as a Branch Executive Committee Member
- Stephen Price as National Executive Member (Honorary)

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting on 18 March 2016.

11. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU WA West Australian Branch Office as a result of the appointments on 18 March 2016.

12. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Perth on this 29 day of March 2016

DEPONENT


Mike Zoetbrood
BRANCH SECRETARY

~~THE NATIONAL ARCHIVES~~

~~RECORDS~~

~~WINE~~

~~ALPHABETICALLY~~

~~RECORDS~~

Call ee Doug
Barrack
6000



“A”

**MINUTES OF MEETING OF THE EXECUTIVE COMMITTEE
OF THE AUSTRALIAN WORKERS' UNION
WEST AUSTRALIAN BRANCH
HELD AT LEVEL 3, 25 BARRACK STREET PERTH
WEST AUSTRALIA
18 MARCH 2016**

Minutes Extract:

Resolutions:

Appointment of Alcoa Pinjarra Refinery Sub-Branch Vice-President

In accordance with rule 65 of the AWU Rules, the Branch Executive hereby elects Basil De Monte' as Alcoa Pinjarra Refinery Sub-Branch Vice President, effective immediately and for the remainder of the Term of Office."

Moved: Mike Zoetbrood

Seconded: Will Hope

Resolved: Motion carried unanimously

Resignation of Branch Secretary

President reads out correspondence received from the Branch Secretary S. Price

"I wish to formally advise of my resignation from the office of Branch Secretary of the Australian Workers' Union West Australian Branch, effective as from 18 March 2016."

Moved: Chris King

Seconded: Will Hope

Resolved: Motion carried unanimously

Resignation of Assistant Branch Secretary and WA Branch National Executive Committee Person

President reads out correspondence received from the Assistant Branch Secretary
M. Zoetbrood

"I wish to formally advise of my resignation from the office of Assistant Branch Secretary of the Australian Workers' Union West Australian Branch, and WA Branch National Executive Committee Person effective as from 18 March 2016."

Moved: Jake Pascoe

Seconded: Dene Cullen

Resolved: Motion carried unanimously

Appointment of Branch Secretary

The Branch executive accepts the resignation of Stephen Price from the office of Branch Secretary, effective 18 March 2016 and accepts the resignation of Mike Zoetbrood from the office of Assistant Branch Secretary with effect from 18 March 2016.

In accordance with rule 65 of the AWU Rules, the Branch Executive hereby elects Mike Zoetbrood as the Branch Secretary of the Australian Workers' Union West Australian Branch, effective immediately and for the remainder of the Term of Office."

Moved: Dee Solly

Seconded: Tristan Gulvin

Resolved: Motion carried unanimously

Resignation of WA Branch Executive Committee person

President reads out correspondence received from the WA Branch Executive Committee person Brad Gandy.

"I wish to formally advise of my resignation from the office of Branch Executive Committee person of the Australian Workers' Union West Australian Branch, effective as from 18 March 2016."

Moved: Stuart Allen

Seconded: Dene Cullen

Resolved: Motion carried unanimously

Appointment of WA Assistant Branch Secretary

The Branch executive accepts the resignation of Brad Gandy from the office of WA Branch Executive Committee person, effective 18 March 2016.

In accordance with rule 65 of the AWU Rules, the Branch Executive hereby elects Brad Gandy as the Assistant Branch Secretary of the Australian Workers' Union West Australian Branch, effective immediately and for the remainder of the Term of Office."

Moved: Will Hope

Seconded: Dee Solly

Resolved: Motion carried unanimously

Appointment of WA Branch Executive Committee person

In accordance with rule 65 of the AWU Rules, the Branch Executive hereby elects Stephen Price as a Branch Executive Committee person of the Australian Workers' Union West Australian Branch, effective immediately and for the remainder of the Term of Office."

Moved: Mike Zoetbrood

Seconded: Will Hope

Resolved: Motion carried unanimously

Appointment of National Executive Committee person

The Branch executive accepts the resignation of Mike Zoetbrood from the office of WA Branch National Executive Committee Person, effective 18 March 2016.

In accordance with rule 65 of the AWU Rules, the Branch Executive hereby elects Stephen Price as the Australian Workers' Union West Australian Branch, National Executive Committee person, effective immediately and for the remainder of the Term of Office."

Moved: Daniel Connors

Seconded: Brad Gandy

Abstained: Stephen Price

Resolved: Motion carried unanimously

“B”

THE AUSTRALIAN WORKERS' UNION
2016 OFFICE HOLDERS AND BRANCH EXECUTIVE
WESTERN AUSTRALIA BRANCH

BRANCH SECRETARY	Mike Zoetbrood PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
BRANCH PRESIDENT (HONORARY)	Andy Hacking C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
BRANCH ASSISTANT SECRETARY	Brad Gandy PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
BRANCH VICE PRESIDENTS (HONORARY)	Jake Pascoe C/- PO Box 8122 Perth Business Centre Perth WA 6849	Hydroblaster
	Chris King C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
BRANCH EXECUTIVE COMMITTEE MEMBERS	Stephen Price PO Box 8122 Perth Business Centre Perth WA 6849	Union employee
	Peter Hampton C/- PO Box 8122 Perth Business Centre Perth WA 6849	Water Industry Worker
	Craig Ramirez C/- PO Box 8122 Perth Business Centre Perth WA 6849	Labourer

Dene Cullen C/- PO Box 8122 Perth Business Centre Perth WA 6849	Union employee
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Denise Solly C/- PO Box 8122 Perth Business Centre Perth WA 6849	Laboratory Technician
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Daniel Connors C/- PO Box 8122 Perth Business Centre Perth WA 6849	Union employee
---	----------------

Nikola Pavlovic C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
--	-------

Mathew Dixon C/- PO Box 8122 Perth Business Centre Perth WA 6849	Union employee
---	----------------

Tristan Gulvin C/- PO Box 8122 Perth Business Centre Perth WA 6849	Plant Operator
---	----------------

**ALCOA PINJARRA REFINERY SUB-BRANCH
(HONORARY POSITIONS)**

SUB-BRANCH PRESIDENT	Stuart Allen C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
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SUB-BRANCH SECRETARY	Will Hope C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
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SUB-BRANCH VICE-PRESIDENT	Basil De Monte' C/- PO Box 8122 Perth Business Centre PERTH WA 6849	Refinery Worker
--------------------------------------	--	-----------------

**SUB-BRANCH
VICE-PRESIDENT**

**Adam Draper
C/- PO Box 8122
Perth Business Centre
PERTH WA 6849**

Refinery Worker

**NATIONAL CONFERENCE
DELEGATES (4)**

**Mike Zoetbrood
PO Box 8122
Perth Business Centre
Perth WA 6849**

Union Official

**Stephen Price
PO Box 8122
Perth Business Centre
Perth WA 6849**

Union employee

**Andrew Hacking
C/- PO Box 8122
Perth Business Centre
Perth WA 6849**

Refinery Worker

**Simon Price
C/- PO Box 8122
Perth Business Centre
Perth WA 6849**

Miner

**NATIONAL EXECUTIVE
MEMBER (HONORARY)**

**Stephen Price
PO Box 8122
Perth Business Centre
Perth WA 6849**

Union employee

From: Stephen Crawford <stephen.crawford@nat.awu.net.au>
Sent: Thursday, 24 March 2016 9:41 AM
To: Orgs
Subject: Section 233 notice re AWU Greater NSW Branch
Attachments: s 233 Notice Greater NSW re Bob Fraser.pdf

Categories: RIA

Dear Sir/Madam,

Please find attached formal notification of a recent change in an elected position in the AWU Greater NSW Branch.

Regards,

Stephen Crawford
Senior National Legal Officer
The Australian Workers' Union, National Office
Level 10, 377-383 Sussex Street
Sydney NSW 2000
Ph: (02) 8005 3333
Fax: (02) 8005 3300
Mob: 0425 303 265

**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline: 1300 885 653
Scott McDine National Secretary



ABN 28 653 022 932

24 March 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached a declaration of a recent change of an elected position within The Australian Workers' Union, Greater New South Wales Branch.

Yours faithfully,

Scott McDine
NATIONAL SECRETARY

Attachment

**STRONGER
TOGETHER**

GREATER NEW SOUTH WALES BRANCH
New South Wales Registered Office
Level 2, 18-20 Good Street, Granville NSW 2142
PO Box 20, Granville NSW 2142
T: (02) 8897 3644 F: (02) 8897 1481
W: www.newawu.net.au E: info@newawu-new.ssn.au
Members Hotline 1300 763 223
RUSS COLLISON State Secretary



21st March 2016

Mr S McDine
National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street
Sydney NSW 2000

Dear Sir,

Re: Notice of changes made to Records Kept under s230 (1)(c)

Please find attached a declaration regarding a recent change in elected positions within The Australian Workers' Union, Greater New South Wales Branch.

Yours Sincerely,

A handwritten signature in black ink, which appears to read 'Russ Collison', is positioned above the printed name.

Russ Collison
Branch Secretary

21st March 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU effective 1 March 2016:

BRANCH PRESIDENT (HONORARY): Robert Fraser resigned.

Please find attached a declaration confirming this change and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, appearing to read 'Russ Collison', written in a cursive style.

Russ Collison
BRANCH SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Russ Collison, of Level 2, 16-20 Good Street, Granville, in the State of New South Wales, Branch Secretary of The Australian Workers' Union, Greater New South Wales Branch, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, Greater New South Wales Branch.
2. The following person resigned from Office in the AWU Greater New South Wales Branch:

Robert Fraser resigned as Branch President (Honorary) effective 1st March 2016

3. A copy of Mr Fraser's resignation letter is attached to this declaration and marked "A".
4. This vacant position of Branch President (Honorary) has not been filled.
5. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office in the AWU Greater New South Wales Branch Office as at 1st March 2016.
6. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with this resignation.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Granville on this 21st day of March 2016

DEPONENT



Russ Collison
BRANCH SECRETARY
THE AUSTRALIAN WORKERS' UNION

BEFORE ME

NAME

WENDY SIOK ENG CHEN

AUTHORITY TO WITNESS


Justice of the Peace No. 156406

SIGNATURE



"B"

THE AUSTRALIAN WORKERS' UNION
2016 OFFICE HOLDERS AND BRANCH EXECUTIVE
GREATER NEW SOUTH WALES BRANCH

POSITION	NAME & ADDRESS DETAILS	OCCUPATION
Secretary	Russ Collison PO Box 20, Granville NSW 2142	Union Official
President (honorary)	VACANT	
Assistant Secretary	Stephen Bali PO Box 20, Granville NSW 2142	Union Official
Vice-Presidents	Glenn Seton Ground floor, 225 Lords Place, Orange NSW 2800	Union Official
	Kevin Brown PO Box 20, Granville NSW 2142	Union Official
Vice-Presidents (honorary)	Peter Kelly c/o PO Box 20, Granville NSW 2142	Industrial Gas Trainer
	Robert O'Neill PO Box 330, Curtin ACT 2605	Appointed Union Official
Organisers/Branch Executive Members	Terry O'Connor	Union Official
		
	Paul Farrow PO Box 20, Granville NSW 2142	Union Official
Branch Executive Members (honorary)	Jeff Buhler PO Box 20, Granville NSW 2142	Appointed Union Official
	Geoff Dawson c/o PO Box 20, Granville NSW 2142	Road Construction Worker
	Pat Murray PO Box 20, Granville NSW 2142	Appointed Union Official
	Jason Freudenreich c/o PO Box 20, Granville NSW 2142	Maintenance Assistant
	David Boreland c/o PO Box 20, Granville NSW 2142	Steel Worker

POSITION	NAME & ADDRESS DETAILS	OCCUPATION
Branch Executive Members (cont.)	Blanca Livloco c/o PO Box 20, Granville NSW 2142	Product Assembler
	Lorna Fairless c/o PO Box 20, Granville NSW 2142	Aircraft Worker
	Anthony Garay c/o PO Box 20, Granville NSW 2142	Team Leader Rail Worker
	Ross Hillary c/o PO Box 20, Granville NSW 2142	Field Officer
	Craig Mason c/o PO Box 20, Granville NSW 2142	Gas Supply Attendant
	Leah Tucker PO Box 20, Granville NSW 2142	Appointed Union Official
	Ian Morley c/o PO Box 20, Granville NSW 2142	Process Technician
	Peter Quirk c/o PO Box 20, Granville NSW 2142	Pest Control Officer
	Paul Noack PO Box 20, Granville NSW 2142	Appointed Union Official
	Christopher Ryan c/o PO Box 20, Granville NSW 2142	Retired Fitter
	Steve Ryan c/o PO Box 20, Granville NSW 2142	Civil Construction Labourer
	John Scott c/o PO Box 20, Granville NSW 2142	Tool Storeman
	Ian Thomas c/o PO Box 20, Granville NSW 2142	Glassmaker
	Robert Dunn c/o PO Box 20, Granville NSW 2142	Road Construction Worker
	Russell Wall c/o PO Box 20, Granville NSW 2142	Senior Field Supervisor

POSITION	NAME & ADDRESS DETAILS	OCCUPATION
National Executive Members	Kevin Brown PO Box 20, Granville NSW 2142	Union Official
	Paul Noack PO Box 20, Granville NSW 2142	Appointed Union Official
National Conference Delegates	Kevin Brown PO Box 20, Granville NSW 2142	Union Official
	Paul Farrow PO Box 20, Granville NSW 2142	Union Official
	Robert O'Neill PO Box 330, Curtin ACT 2605	Appointed Union Official
	Paul Noack PO Box 20, Granville NSW 2142	Appointed Union Official
	Terry O'Connor [REDACTED]	Union Official
	Glenn Seton Ground floor, 225 Lords Place, Orange NSW 2800	Union Official
	Brock Skelton PO Box 20, Granville NSW 2142	Appointed Union Official
	Leah Tucker PO Box 20, Granville NSW 2142	Appointed Union Official



FairWork
Commission

16 March 2016

Mr Scott McDine
National Secretary
The Australian Workers' Union,
Email: members@awu.net.au

Dear Mr McDine,

Notification of changes made to records [AR2016/161]

I acknowledge receipt of a Notification of Change to the office holders of The Australian Workers' Union,.

This information was lodged with the Fair Work Commission (the Commission) 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.

Date of lodgement	Branch	Change
16 March 2016	Port Kembla, South Coast and Southern Highlands Branch	Branch Executive Member

Please note that the RO Act requires that a notification of change must be lodged within 35 days of the change occurring. The notification indicates that changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Michael Moutevelis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Wednesday, 16 March 2016 11:46 AM
To: Orgs
Subject: s 233 Notice of Changes - AWU Port Kembla Branch
Attachments: s 233 Notice of Changes - AWU Port Kembla Branch.pdf

Categories: RIA

Dear Sir/Madam

Please find attached a s 233 notice regarding changes to an elected position of the AWU Port Kembla, South Coast and Southern Highlands Branch.

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 | m.0412 431 352
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline, 1300 885 653
Scott McDine National Secretary



ABN 28 853 022 982

16 March 2016

Assistant Manager
Regulatory Compliance Branch
Fair Work Commission
Level 10 Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

VIA EMAIL: orgs@fwc.org.au

Dear Sir / Madam

**Re: The Australian Workers' Union
Notice of changes made to records kept under s 230 (1) (c)**

Please find attached a declaration of a recent change of an elected position within The Australian Workers' Union, Port Kembla, South Coast and Southern Highlands Branch.

Yours faithfully,

Scott McDine
NATIONAL SECRETARY

Attachment

Date 4 March 2016

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

NOTICE OF CHANGES MADE TO RECORDS KEPT UNDER s 230 (1) (c)

The Australian Workers' Union (AWU) hereby gives notice to the Fair Work Commission pursuant to s 233 (2) of the *Fair Work (Registered Organisations) Act 2009* that our records have been amended to reflect the following changes to persons holding Offices in the AWU which occurred on 9 February 2016:

BRANCH EXECUTIVE COMMITTEE MEMBER Colin Langlands resigned and Lance Turner was appointed.

Please find attached a declaration confirming these changes and the steps which were taken to implement the changes under the AWU Rules.

SIGNED:

A handwritten signature in black ink, appearing to read 'W Phillips', written in a cursive style.

Wayne Phillips
BRANCH SECRETARY

Section 233 (2) of the *Fair Work (Registered Organisations) Act 2009*
FAIR WORK COMMISSION

DECLARATION ACCOMPANYING NOTIFICATION OF CHANGES TO OFFICES

I, Wayne Phillips, of 18 Belmore Street Wollongong, in the State of New South Wales, Branch Secretary of The Australian Workers' Union Port Kembla South Coast and Southern Highlands Branch, do solemnly and sincerely declare as follows:

1. I am authorised to make this declaration because I am the Branch Secretary of The Australian Workers' Union, Port Kembla South Coast and Southern Highlands Branch. (AWU PK).
2. On 9 February 2016, the following person resigned from Office in the AWU PK Branch
 - Colin Langlands, Branch Executive Committee Member.
3. The AWU PK Branch Executive Committee is authorised by Rule 65 (1) (a) of the AWU Rules to fill vacancies in the Branch Office elected Offices by appointing a new Office holder. This can only occur if the unexpired part of the term does not exceed the greater of:
 - Twelve months; or
 - Three-quarters of the term of the Office.
4. The resigning official commenced his Office on 1 July 2013 and term of their Offices is four years: see Rule 63 (12) and Rule 61 (1) of the AWU Rules.
5. As a result, the unexpired part of the term does not exceed three-quarters of the term of Office and the Branch Executive Committee members are authorised to make appointments to the vacant position/s.
6. All members of the AWU PK Branch Executive Committee were properly notified that a meeting of the AWU PK Branch Executive would be convened on 9 February 2016.
7. During the AWU PK Branch Executive Committee members meeting on 9 February 2016, the AWU PK Branch Executive Committee members appointed the following persons to fill the specified vacant Offices in AWU Port Kembla South Coast and Southern Highlands Branch:
 - Lance Turner as a Branch Executive Committee Member

Attached to this declaration and marked "A" is a true and correct copy of the Minutes of the Branch Executive Committee meeting on 9 February 2016.

8. Attached to this declaration and marked "B" is a true and correct copy of the list of names, postal addresses and occupations of the persons holding Office



in the AWU Port Kembla South Coast and Southern Highlands Branch as a result of the appointments on 9 February 2016.

9. I hereby confirm to the Fair Work Commission that the records of the AWU have been changed in accordance with these appointments.

AND I MAKE this solemn declaration by virtue of the *Statutory Declarations Act 1959* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

DATED at Wollongong on this 4th day of March 2016

DEPONENT



Wayne Phillips

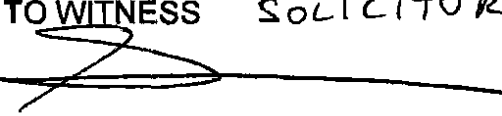
**BRANCH SECRETARY
THE AUSTRALIAN WORKERS' UNION**

BEFORE ME SONJA NIKOLOVSKI

NAME

AUTHORITY TO WITNESS SOLICITOR

SIGNATURE



THE AUSTRALIAN WORKERS' UNION
2016 OFFICE HOLDERS AND BRANCH EXECUTIVE
PORT KEMBLA, SOUTH COAST AND SOUTHERN HIGHLANDS BRANCH

BRANCH SECRETARY	Wayne Phillips PO Box 1506 Wollongong NSW 2500	Union Official
BRANCH PRESIDENT	Branko Gorgievski PO Box 1506 Wollongong NSW 2500	Union Official
BRANCH ASSISTANT SECRETARY	Dave Hancock PO Box 1506 Wollongong NSW 2500	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Les Millar C/- PO Box 1506 Wollongong NSW 2500	Storeman
	Sean Burke C/- PO Box 1506 Wollongong NSW 2500	Appointed Union Official Production Worker
BRANCH EXECUTIVE COMMITTEE MEMBERS	William Beaumont C/- PO Box 1506 Wollongong NSW 2500	Retired
	Glenn Leake C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Gregg Davies C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Jose Lucio Fernandes C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Peter Armstrong C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Lance Turner C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Saso Stojanovski C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Les Millar	Storeman

	C/- PO Box 1506 Wollongong NSW 2500	
	Ilija Sukoski C/- PO Box 1506 Wollongong NSW 2500	Operator
	Risto Tancevski C/- PO Box 1506 Wollongong NSW 2500	Operator
	Robert Turford C/- PO Box 1506 Wollongong NSW 2500	Retired
	Brett Withers C/- PO Box 1506 Wollongong NSW 2500	Operator
NATIONAL CONFERENCE DELEGATES	Wayne Phillips PO Box 1506 Wollongong NSW 2500	Union Official
	Sean Burke C/- PO Box 1506 Wollongong NSW 2500	Appointed Official Production Worker
	Brett Withers C/- PO Box 1506 Wollongong NSW 2500	Operator

From: Debra Bushell <debra.bushell@nat.awu.net.au>
Sent: Tuesday, 15 March 2016 2:25 PM
To: Orgs
Subject: AR2016/161 - AWU Annual Return of Information for 2016
Attachments: AWU Annual Return - AR2016-161.pdf

Dear Ms. Kyriakidis

Re: AWU Annual Return of Information for 2016 (AR2016/161)

Please find attached The Australian Workers' Union Annual Return for 2016.

Kind regards

Debra Bushell

Personal Assistant to the National Secretary

The Australian Workers' Union

Level 10, 377-383 Sussex Street, Sydney, NSW 2000

p.02 8005 3333 | f.02 8005 3300 |

debra.bushell@nat.awu.net.au | www.awu.net.au

AWU Twitter: www.twitter.com/AWUnion



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NATIONAL OFFICE
Level 10, 377-383 Sussex Street Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
E: members@awu.net.au W: www.awu.net.au
Members Hotline 1300 885 653
Scott McDine National Secretary



ABN 28 653 022 582

15 March 2016

Ms Anastasia Kyriakidis
Assistant Advisor
Regulatory Compliance Branch
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

EMAIL - orgs@fwc.gov.au

Dear Ms. Kyriakidis

**Re: The Australian Workers' Union
Annual Return of Information for 2016 (AR2016/161)**

Please find enclosed declarations and a list of office bearers of The Australian Workers' Union for 2015, in accordance with Fair Work (Registered Organisation) Act 2009.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'S. McDine', is written over the 'Yours faithfully,' text.

Scott McDine
NATIONAL SECRETARY

Encls.

Fair Work Commission

Fair Work (Registered Organisation) Act 2009

DECLARATION


Maintenance of Register of Members

I, SCOTT MCDINE, of level 10, 377-383 Sussex Street, in the State of New South Wales, do solemnly and sincerely declare as follows:

1. I am the National Secretary of The Australian Workers' Union, an industrial union of employees registered under the Fair Work (Registered Organisations) Act 2009.
2. After making inquiries with relevant Branch Secretaries, I have been informed that a register of members for 2015 has been kept and maintained at the offices of each Branch of the union as prescribed by subsections 230 (1) (a) and (2).

AND I make this solemn declaration subject to the penalties provided by this Act for the making of false statements in declarations, conscientiously believing the statements in this declaration to be true and correct.

DECLARED this 15th day of March 2016.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a long, sweeping horizontal line that extends to the right.

Scott McDine
NATIONAL SECRETARY

Fair Work Commission

Fair Work (Registered Organisation) Act 2009

DECLARATION

List of Offices and List of Office Holders

I, SCOTT MCDINE of level 10, 377-383 Sussex Street, Sydney, in the State of New South Wales, do solemnly and sincerely declare as follows:

1. I am the National Secretary of The Australian Workers' Union, an industrial union of employees registered under the Fair Work (Registered Organisations) Act 2009.
2. As prescribed by Section 230 (1) (b) and (c) of the Fair Work (Registered Organisations) Act 2009, the list of names, postal addresses and occupations of the persons holding the offices of the union, as at 31 December 2015 are attached and marked with the letters "A" to "J" inclusive.
3. To the best of my knowledge and belief, the information contained in the attached lists is a correct statement of the names, postal addresses and occupations of the persons holding offices of the union.

AND I make this solemn declaration subject to the penalties provided by this Act for the making of false statements in declarations, conscientiously believing the statements in this declaration to be true and correct.

DECLARED this 15th day of March, 2016.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a long horizontal stroke.

Scott McDine
NATIONAL SECRETARY

List of Offices / List of Office Holders

"A"

THE AUSTRALIAN WORKERS' UNION **2015 NATIONAL EXECUTIVE**

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY) x 7	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Peter Lamps GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Rodney Stockham PO Box 1035 Townsville QLD 4810	Union Official
	Misha Zelinsky Level 10 377-383 Sussex Street SYDNEY NSW 2000	Union Official
	Marina Williams GPO Box 88 Brisbane QLD 4000	Union Official
NATIONAL SECRETARY	Scott McDine Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
NATIONAL EXECUTIVE MEMBERS	Ben Swan GPO Box 88 Brisbane QLD 4001	Union Official
	Steve Baker	Union Official

GPO Box 13
Brisbane QLD 4001

Keith Ballin
PO Box 1057
Bundaberg QLD 4670

Union Official

Peter Gunsberger
PO Box 738
Innisfail QLD 4860

Union Official

Tracey Sharpe
PO Box 508
Toowoomba QLD 4350

Union Official

Richard Downie
PO Box 226
Mayfield NSW 2304

Union Official

Russ Collison
PO Box 20
Granville NSW 2142

Union Official

Kevin Brown
PO Box 20
Granville NSW 2142

Union Official

Paul Noack
PO Box 20
Granville NSW 2142

Union Official

Wayne Phillips
PO Box 1506
Wollongong NSW 2500

Union Official

Ben Davis
685 Spencer Street
West Melbourne VIC 3003

Union Official

Gavin Penn
685 Spencer Street
West Melbourne VIC 3003

Union Official

Jimmy Mastrandonakis
685 Spencer Street
West Melbourne VIC 3003

Union Official

Ian Wakefield
PO Box 129
North Hobart Tas 7002

Union Official

Wayne Hanson
GPO Box 2577
Adelaide SA 5001

Union Official

Stephen Price

Union Official

**PO Box 8122
Perth Business Centre
Perth WA 6849**

**Mike Zoetbrood
PO Box 8122
Perth Business Centre
Perth WA 6849**

Union Official

"B"

THE AUSTRALIAN WORKERS' UNION
NATIONAL CONFERENCE DELEGATES 2015

NATIONAL PRESIDENT (HONORARY)	William Ludwig GPO Box 88 Brisbane QLD 4001	Union Official
NATIONAL VICE-PRESIDENTS (HONORARY x 7)	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
	Andy Hacking PO Box 8122 PBC WA 6849	Refinery Worker
	Peter Lamps GPO Box 2577 Adelaide SA 5001	Union Official
	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
	Rodney Stockham PO Box 1035 Townsville QLD 4810	Union Official
	Misha Zelinsky Level 10 377-383 Sussex Street SYDNEY NSW 2000	Union Official
	Marina Williams GPO Box 88 Brisbane QLD 4000	Union Official
NATIONAL SECRETARY	Scott McDine Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
ASSISTANT NATIONAL SECRETARY	Daniel Walton Level 10 377-383 Sussex Street Sydney NSW 2000	Union Official
QUEENSLAND BRANCH	Ben Swan GPO Box 88 Brisbane QLD 4001	Union Official
	Steve Baker GPO Box 13 Brisbane QLD 4001	Union Official

Keith Ballin GPO Box 1057 Bundaberg QLD 4670	Union Official
Tony Beers PO Box 5097 Gladstone QLD 4680	Union Official
Don Bulow C/- GPO Box 13 Brisbane QLD 4001	Concrete Labourer
Robert Carson PO Box 50 Mount Isa QLD 4825	Union Official
Peter Gunsberger PO Box 854 Cairns QLD 4870	Union Official
Daryl Harrison PO Box 50 Mount Isa QLD 4825	Union Official
Terry Cross GPO Box 13 Brisbane QLD 4001	Union Official
Bede Harding GPO Box 88 Brisbane QLD 4001	Union Official
Paul Robertson PO Box 115 Mackay QLD 4740	Union Official
Tracey Sharpe PO Box 508 Toowoomba QLD 4350	Union Official
Troy Spence GPO Box 88 Brisbane QLD 4001	Union Official
Zac Beers PO Box 5097 Gladstone QLD 4680	Union Official
Sharon Winn PO Box 854 Cairns QLD 4870	Union Official
Jack Liston PO Box 240 Longreach QLD 4730	Union Official

	Luke Mangano PO Box 1035 Townsville QLD 4810	Union Official
	Wally Boulton GPO Box 13 Brisbane QLD 4001	Union Official
	Cathy Janetzki PO Box 508 Toowoomba QLD 4350	Union Official
NEWCASTLE, CENTRAL COAST & NORTHERN REGIONS BRANCH	Richard Downie PO Box 226 Mayfield NSW 2304	Union Official
	Wayne Pringle PO Box 226 Mayfield NSW 2304	Operator
	Tony Callinan PO Box 226 Mayfield NSW 2304	Union Organiser
	Tom Matheson PO Box 226 Mayfield NSW 2304	Labourer
GREATER NSW BRANCH	Russ Collison PO Box 20 Granville NSW 2142	Union Official
	Kevin Brown PO Box 20 Granville NSW 2142	Union Official
	Paul Farrow PO Box 20 Granville NSW 2142	Union Official
	Brock Skelton PO Box 20 Granville NSW 2142	Union Official
	Robert O'Neill PO Box 33 Curtin ACT 2605	Appointed Union Official
	Paul Noack PO Box 20 Granville NSW 2142	Appointed Union Official
	Glenn Seton PO Box 2092 Tamworth NSW 2340	Union Official

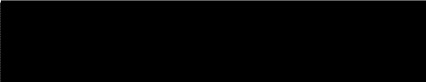
	Leah Tucker PO Box 20 Granville NSW 2142	Appointed Union Official
	Terry O'Connor [REDACTED]	Union Official
PORT KEMBLA, SOUTH COAST AND SOUTHERN HIGHLANDS BRANCH	Wayne Phillips PO Box 1560 Wollongong NSW 2500	Union Official
	Sean Burke C/ - PO Box 1506 Wollongong NSW 2500	Appointed Official Production Worker
	Brett Withers C/ - PO Box 1560 Wollongong NSW 2500	Operator
VICTORIAN BRANCH	Ben Davis 685 Spencer Street West Melbourne VIC 3003	Union Official
	Joe Alaalatoa C/- 685 Spencer Street West Melbourne VIC 3003	Construction Worker
	Dennis Bradford C/- 685 Spencer Street West Melbourne VIC 3003	Glass Worker
	Ray Christie C/- 685 Spencer Street West Melbourne VIC 3003	Gas/Oil Industry Worker
	Tanya Green 685 Spencer Street West Melbourne VIC 3003	Union Official
	Jim Ward 685 Spencer Street West Melbourne VIC 3003	Union Official
	Peter King C/- 685 Spencer Street West Melbourne VIC 3003	Aluminium Worker
	Lenny Hosking C/- 685 Spencer Street West Melbourne VIC 3003	Gas/Oil Industry Worker
	Adrian Colebrook C/- 685 Spencer Street West Melbourne VIC 3003	Aluminium Industry Worker

	Geoffrey Terrill 685 Spencer Street West Melbourne VIC 3003	Steel Industry Worker
	Ray West C/-685 Spencer Street West Melbourne VIC 3003	Paper Industry Worker
TASMANIA BRANCH	Ian Wakefield PO Box 129 North Hobart TAS 7002	Union Official
	Robert Flanagan PO Box 129 North Hobart TAS 7002	Union Official
SOUTH AUSTRALIA BRANCH	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Gary Henderson GPO Box 2577 Adelaide SA 5001	Union Official
	Michael Hopgood GPO Box 2577 Adelaide SA 5001	Union Official
	Joseph Kane GPO Box 2577 Adelaide SA 5001	Union Official
WEST AUSTRALIA	Stephen Price PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
	Mike Zoetbrood PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
	Andrew Hacking C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
	Simon Price C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
	Brad Gandy C/- PO Box 8122 Perth Business Centre Perth WA 6849	Union Official

"C"
THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
GREATER NEW SOUTH WALES BRANCH

BRANCH SECRETARY	Russ Collison PO Box 20 Granville NSW 2142	Union Official
BRANCH PRESIDENT (HONORARY)	Robert Fraser C/- PO Box 20 Granville NSW 2142	Retired Rigger
BRANCH ASSISTANT SECRETARY	Stephen Bali PO Box 20 Granville NSW 2142	Union Official
BRANCH VICE-PRESIDENTS	Glenn Seton PO Box 2092 Tamworth NSW 2340	Union Official
	Kevin Brown PO Box 20 Granville NSW 2142	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Peter Kelly C/- PO Box 20 Granville NSW 2142	Industrial Gas Trainer
	Robert O'Neill PO Box 333 Curtin ACT 2605	Appointed Union Official
ORGANISERS & BRANCH EXECUTIVE MEMBERS	Paul Farrow PO Box 20 Granville NSW 2142	Union Official
	Terry O'Connor [REDACTED]	Union Official
BRANCH EXECUTIVE MEMBERS (HONORARY)	Jeff Buhler C/- Box 20 Granville NSW 2142	Appointed Union Official
	Geoff Dawson C/- PO Box 20 Granville NSW 2142	Road Construction Worker
	Pat Murray PO Box 20 Granville NSW 2142	Appointed Union Official
	Jason Freudenreich C/- PO Box 20 Granville NSW 2142	Maintenance Assistant

David Boreland C/- PO Box 20 Granville NSW 2142	Steel Worker
Blanca Livioco C/- PO Box 20 Granville NSW 2142	Product Assembler
Lorna Fairless C/ - PO Box 20 Granville NSW 2142	Aircraft Worker
Anthony Garay C/- PO Box Box 20 Granville NSW 2142	Team Leader Rail Worker
Ross Hillary C/- PO Box 20 Granville NSW 2142	Field Officer
Craig Mason C/- PO Box 20 Granville NSW 2142	Gas Supply Attendant
Leah Tucker PO Box 20 Granville NSW 2142	Appointed Union Official
Ian Morley C/- PO Box 20 Granville NSW 2142	Process Technician
Peter Quirk C/- PO Box 20 Granville NSW 2142	Pest Control Technician
Paul Noack PO Box 20 Granville NSW 2142	Appointed Union Official
Christopher Ryan C/- PO Box 20 Granville NSW 2142	Retired Fitter
Steven Ryan C/- PO Box 20 Granville NSW 2142	Civil Construction Worker
John Scott C/- PO Box 20 Granville NSW 2142	Tool Storeman
Ian Thomas C/- PO Box 20 Granville NSW 2142	Glassworker

	Robert Dunn C/- PO Box 20 Granville NSW 2142	Road Construction Worker
	Russell Wall C/- PO Box 20 Granville NSW 2142	Senior Field Supervisor
NATIONAL EXECUTIVE MEMBERS	Kevin Brown PO Box 20 Granville NSW 2142	Union Official
	Paul Noack PO Box 20 Granville NSW 2142	Appointed Union Official
NATIONAL CONFERENCE DELEGATES	Russ Collison PO Box 20 Granville NSW 2142	Union Official
	Kevin Brown PO Box 20 Granville NSW 2142	Union Official
	Paul Farrow PO Box 20 Granville NSW 2142	Union Official
	Brock Skelton PO Box 20 Granville NSW 2142	Union Official
	Robert O'Neill PO Box 33 Curtin ACT 2605	Appointed Union Official
	Paul Noack PO Box 20 Granville NSW 2142	Appointed Union Official
	Mr Glenn Seton PO Box 2092 Tamworth NSW 2340	Union Official
	Leah Tucker PO Box 20 Granville NSW 2142	Appointed Union Official
	Terry O'Connor 	Union Official

THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
SOUTH AUSTRALIAN BRANCH

BRANCH SECRETARY	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH PRESIDENT (HONORARY)	Peter Lamps GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH ASSISTANT SECRETARY	Frank Mateos GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Justin Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Terry Bails GPO Box 2577 Adelaide SA 5001	O-I Employee
ORGANISER / BRANCH EXECUTIVE COMMITTEE MEMBERS	Gary Henderson GPO Box 2577 Adelaide SA 5001	Union Official
	Michael Hopgood GPO Box 2577 Adelaide SA 5001	Union Official
	Joseph Kane GPO Box 2577 Adelaide SA 5001	Union Official
	Scott Martin GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH EXECUTIVE COMMITTEE MEMBERS	Ian Ashmore C/- GPO BOX 2577 Adelaide SA 5001	Council Worker
	Nathan Crack GPO Box 2577 Adelaide SA 5001	Union Official
	Marcus Hanson GPO Box 2577 Adelaide SA 5001	Union Official

	Joseph Mezzini C/- GPO Box 2577 Adelaide SA 5001	Nyrstar Employee
	Martin Hilton GPO Box 2577 Adelaide SA 5001	Steel Worker
	John Schuit C/- GPO Box 2577 Adelaide SA 5001	ASC Employee
	Trish Stringer GPO Box 2577 Adelaide SA 5001	Union Official
	Martin O'Connor C/- Mitcham Council PO Box 21 Kingswood SA 5062	Council Worker
	Jim Phelan C/- Santos GPO Box 2319 Adelaide SA 5001	Santos Employee
	Colin Shooter C/- GPO Box 2577 Adelaide SA 5001	Steel Worker
	Stacy Ware C/- GPO Box 2577 Adelaide SA 5001	Union Official
BRANCH ORGANISER (FULL-TIME) WHO IS NOT A MEMBER OF BRANCH EXECUTIVE	Peter Lamps GPO Box 2577 Adelaide SA 5001	Union Official
NATIONAL CONFERENCE DELEGATES	Wayne Hanson GPO Box 2577 Adelaide SA 5001	Union Official
	Gary Henderson GPO Box 2577 Adelaide SA 5001	Union Official
	Michael Hopgood GPO Box 2577 Adelaide Sa 5001	Union Official
	Joseph Kane GPO Box 2577 Adelaide SA 5001	Union Official

THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
NEWCASTLE, CENTRAL COAST AND NORTHERN REGIONS BRANCH

BRANCH SECRETARY	Richard Downie PO Box 226 Mayfield NSW 2304	Union Official
BRANCH PRESIDENT	Anthony Callinan PO BOX 226 Mayfield NSW 2304	Union Official
BRANCH ASSISTANT SECRETARY	John Boyd PO Box 226 Mayfield NSW 2304	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Tom Matheson PO Box 226 Mayfield NSW 2304	Labourer
	Larry James Redman PO Box 226 Mayfield NSW 2304	Labourer
ORGANISER/ BRANCH EXECUTIVE	Paul Delaney PO Box 226 Mayfield NSW 2304	Union Official
BRANCH EXECUTIVE COMMITTEE MEMBERS (HONORARY)	Mark Hughes PO Box 226 Mayfield NSW 2304	Union Official
	Neville Freund PO Box 226 Mayfield NSW 2304	Fitter
	Jayne Zycki PO Box 226 Mayfield NSW 2304	Traffic Management
	Wayne Pringle PO Box 226 Mayfield NSW 2304	Operator
	Bill McGuinness PO Box 226 Mayfield NSW 2304	Fork Driver
	Brett Slavin PO Box 226 Mayfield NSW 2304	Truck Driver

	Paul O'Brien PO Box 226 Mayfield NSW 2304	Union Organiser
	Richard Paczynski PO Box 226 Mayfield NSW 2304	Operator
	Evan Lawless PO Box 226 Mayfield NSW 2304	Engineer
	John Hicks PO Box 226 Mayfield NSW 2304	Concrete Batcher
	Rodney Osland PO Box 226 Mayfield NSW 2304	Operator
	Gerard Sissingh PO Box 226 Mayfield NSW 2304	Operator
DELEGATES TO NATIONAL CONFERENCE	Richard Downie PO Box 226 Mayfield NSW 2304	Union Official
	Wayne Pringle PO Box 226 Mayfield NSW 2304	Operator
	Tony Callinan PO Box 226 Mayfield NSW 2304	Union Organiser
	Tom Matheson PO Box 226 Mayfield NSW 2304	Labourer

THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
PORT KEMBLA, SOUTH COAST AND SOUTHERN HIGHLANDS BRANCH

BRANCH SECRETARY	Wayne Phillips PO Box 1506 Wollongong NSW 2500	Union Official
BRANCH PRESIDENT	Branko Gorgievski PO Box 1506 Wollongong NSW 2500	Union Official
BRANCH ASSISTANT SECRETARY	Dave Hancock PO Box 1506 Wollongong NSW 2500	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Les Millar C/- PO Box 1506 Wollongong NSW 2500	Storeman
	Sean Burke C/- PO Box 1506 Wollongong NSW 2500	Appointed Union Official Production Worker
BRANCH EXECUTIVE COMMITTEE MEMBERS	William Beaumont C/- PO Box 1506 Wollongong NSW 2500	Retired
	Glenn Leake C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Gregg Davies C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Jose Lucio Fernandes C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Peter Armstrong C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Colin Langlands C/- PO Box 1506 Wollongong NSW 2500	Production Worker
	Saso Stojanovski C/- PO Box 1506 Wollongong NSW 2500	Production Worker

	Les Millar C/- PO Box 1506 Wollongong NSW 2500	Storeman
	Ilija Sukoski C/- PO Box 1506 Woollongong NSW 2500	Operator
	Risto Tancevski C/- PO Box 1506 Wollongong NSW 2500	Operator
	Robert Turford C/- PO Box 1506 Wollongong NSW 2500	Retired
	Brett Withers C/- PO Box 1506 Wollongong NSW 2500	Operator
NATIONAL CONFERENCE DELEGATES	Wayne Phillips PO Box 1506 Wollongong NSW 2500	Union Official
	Sean Burke C/- PO Box 1506 Wollongong NSW 2500	Appointed Official Production Worker
	Brett Withers C/- PO Box 1506 Wollongong NSW 2500	Operator

"G"

THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
QUEENSLAND BRANCH

BRANCH SECRETARY	Ben Swan GPO Box 88 Brisbane QLD 4001	Union Official
BRANCH PRESIDENT (HONORARY)	Rodney Stockham PO Box 1035 Townsville QLD 4810	Union Official
BRANCH VICE-PRESIDENTS	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
	Steve Baker GPO Box 13 Brisbane QLD 4001	Union Official
	Marina Williams PO Box 88 Brisbane QLD 4001	Union Official
NATIONAL EXECUTIVE MEMBERS	Tracey Sharpe PO Box 508 Toowoomba QLD 4035	Union Official
	Steve Baker GPO Box 13 Brisbane QLD 4001	Union Official
	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
	Peter Gunsberger PO Box 854 Cairns QLD 4870	Union Official
CENTRAL DISTRICT DISTRICT SECRETARY	Keith Ballin PO Box 1057 Bundaberg QLD 4670	Union Official
BRANCH EXECUTIVE MEMBER	Tony Beers PO Box 5097 Gladstone QLD 4680	Union Official
ORGANISERS	Tony Beers PO Box 5097 Gladstone QLD 4680	Union Official

	Zac Beers PO Box 5097 Gladstone QLD 4680	Union Official
	Craig Sell PO Box 289 Rockhampton QLD 4700	Union Official
	Gavin Duncan PO Box 1057 Bundaberg QLD 4670	Union Official
FAR NORTHERN DISTRICT DISTRICT SECRETARY	Peter Gunsberger PO Box 854 Cairns QLD 4870	Union Official
BRANCH EXECUTIVE MEMBER	Peter Gunsberger PO Box 854 Cairns QLD 4870	Union Official
	Kylie Swales PO Box 854 Cairns QLD 4870	Union Official
	Stephen Christian PO Box 854 Cairns QLD 4870	Union Official
BRANCH ORGANISER	Sharon Winn PO Box 854 CAIRNS QLD 4870	Union Official
	David Fixter PO Box 854 Cairns QLD 4870	Union Official
NORTHERN DISTRICT DISTRICT SECRETARY	Rodney Stockham PO Box 1035 Townsville QLD 4810	Union Official
BRANCH EXECUTIVE MEMBER	Paul Robertson PO Box 115 Mackay QLD 4740	Union Official
BRANCH ORGANISER	Luke Mangano PO Box 1035 Townsville QLD 4825	Union Official
	Juli Mann PO Box 1035 Townsville QLD 4810	Union Official
BRANCH ORGANISER	Daryl Harrison	Union Official

	PO Box 50 Mount Isa QLD 4825	
	Robert Carson PO Box 50 Mount Isa QLD 4825	Union Official
BRANCH ORGANISER	Paul Robertson PO Box 115 Mackay QLD 4740	Union Official
	Damien Hale GPO Box 3845 Darwin NT 0801	Union Official
SOUTHERN DISTRICT DISTRICT SECRETARY	Steve Baker GPO Box 13 Brisbane QLD 4001	Union Official
BRANCH EXECUTIVE MEMBER	Don Bulow C/- GPO Box 13 Brisbane QLD 4001	Concrete Labourer
	Alan Bolton GPO Box 13 Brisbane QLD 4001	Union Official
	Jason Shepherd GPO Box 13 Brisbane QLD 4001	Union Official
BRANCH ORGANISERS	Walter Boulton C/- GPO Box 13 Brisbane QLD 4001	Union Official
	Terry Cross 27 Gordon Street Ipswich QLD 4305	Union Official
SOUTH WESTERN DISTRICT DISTRICT SECRETARY	Tracey Sharpe PO Box 508 Toowoomba QLD 4350	Union Official
BRANCH EXECUTIVE MEMBER	Tracey Sharpe PO Box 508 Toowoomba QLD 4350	Union Official
BRANCH ORGANISER	Cathy Janetzki PO Box 508 Toowoomba QLD 4350	Union Official
WESTERN DISTRICT DISTRICT SECRETARY	Jack Liston PO Box 240	Union Official

	Longreach QLD 4730	
BRANCH EXECUTIVE MEMBER	Jack Liston PO Box 240 Longreach QLD 4730	Union Official
METALS AND CONSTRUCTION DISTRICT DISTRICT SECRETARY		
	Troy Spence GPO Box 88 Brisbane QLD 4001	Union Official
BRANCH EXECUTIVE MEMBER	Troy Spence GPO Box 88 Brisbane QLD 4001	Union Official
ORGANISERS		
	Bede Harding GPO Box 88 Brisbane QLD 4001	Union Official
	Jim Wilson GPO Box 88 Brisbane QLD 4001	Union Official
	Marina Williams GPO Box 88 Brisbane QLD 4001	Union Official
	Paul Cradden GPO Box 88 Brisbane QLD 4001	Union Official
BRANCH DELEGATES TO MEETING		
	Wally Boulton GPO Box 13 Brisbane QLD 4001	Union Official
	Terry Cross GPO Box 13 Brisbane QLD 4001	Union Official
	Tony Beers PO Box 5097 Gladstone QLD 4680	Union Official
	Jim Wilson GPO Box 13 Brisbane QLD 4001	Union Official
	Robert Carson PO Box 50 Mount Isa QLD 4825	Union Official
	Marina Williams GPO Box 88 Brisbane QLD 4001	Union Official

Daryl Harrison Union Official
PO Box 50
Mount Isa QLD 4825

Craig Sell Union Official
PO Box 289
Rockhampton QLD 4700

Stephen Christian Union Official
PO Box 854
Cairns QLD 4870

Paul Robertson Union Official
PO Box 115
Mackay QLD 4740

Michael Kerley Union Official
C/- PO Box 1035
Townsville QLD 4810

Peter Ward Union Official
C/- PO Box 1057
Gladstone QLD 4670

Zac Beers Union Official
PO Box 5097
Gladstone QLD 4680

Sharon Winn Union Official
PO Box 854
Cairns QLD 4870

Jack Liston Union Official
PO Box 240
Longreach QLD 4730

Luke Mangano Union Official
PO Box 1035
Townsville QLD 4810

David Fixter Union Official
PO Box 854
Cairns QLD 4870

Cathy Janetzki Union Official
PO Box 508
Toowoomba QLD 4350

Gavin Duncan Union Official
PO Box 1057
Bundaberg QLD 4670

Bede Harding Union Official
GPO Box 88
Brisbane QLD 4001

NATIONAL CONFERENCE DELEGATES

Steve Baker GPO Box 13 Brisbane QLD 4001	Union Official
Keith Ballin GPO Box 1057 Bundaberg QLD 4670	Union Official
Tony Beers PO Box 5097 Gladstone QLD 4680	Union Official
Don Bulow C/- GPO Box 13 Brisbane QLD 4001	Concrete Labourer
Robert Carson PO Box 50 Mount Isa QLD 4825	Union Official
Peter Gunsberger PO Box 854 Cairns QLD 4870	Union Official
Daryl Harrison PO Box 50 Mount Isa QLD 4825	Union Official
Terry Cross GPO Box 13 Brisbane QLD 4001	Union Official
Bede Harding GPO Box 88 Brisbane QLD 4001	Union Official
Paul Robertson PO Box 115 Mackay QLD 4740	Union Official
Tracey Sharpe PO Box 508 Toowoomba QLD 4350	Union Official
Troy Spence GPO Box 88 Brisbane QLD 4001	Union Official
Zac Beers PO Box 5097 Gladstone QLD 4680	Union Official

Union Official

Union Official

Union Official

Union Official

Union Official

"H"
THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
TASMANIA BRANCH

BRANCH SECRETARY	Ian Wakefield PO Box 129 North Hobart TAS 7002	Union Official
BRANCH PRESIDENT (HONORARY)	Laurence Gregson C/- PO Box 129 North Hobart TAS 7002	Field Officer
BRANCH ASSISTANT SECRETARY	Robert Flanagan PO Box 129 North Hobart TAS 7002	Union Official
BRANCH VICE-PRESIDENT (HONORARY)	Jill Reid C/- PO Box 129 North Hobart TAS 7002	Process Worker
BRANCH ORGANISER BRANCH EXECUTIVE COMMITTEE MEMBER FULL TIME	Kevin Midson C/- PO Box 129 North Hobart TAS 7002	Union Official
BRANCH EXECUTIVE MEMBERS (6)	Steve Dowling C/- PO Box 129 North Hobart TAS 7002	Process Worker
	Alanah Donaghy C/- PO Box 129 North Hobart TAS 7002	Process Worker
	Phillip Garth C/- PO Box 129 North Hobart TAS 7002	Process Worker
	Bill Lowe C/- PO Box 129 North Hobart TAS 7002	Life Member
	Ross Richardson C/- PO Box 129 North Hobart TAS 7002	Production Worker
	Andrew Sutcliff C/- PO Box 129 North Hobart TAS 7002	Fitter
NATIONAL CONFERENCE DELEGATES	Ian Wakefield PO Box 129 North Hobart TAS 7002	Union Official

Robert Flanagan

Union Official

THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
VICTORIA BRANCH

BRANCH SECRETARY	Ben Davis 685 Spencer Street West Melbourne VIC 3003	Union Official
BRANCH PRESIDENT (HONORARY)	Jimmy Mastrandonakis 685 Spencer Street West Melbourne VIC 3003	Union Official
BRANCH ASSISTANT SECRETARY (FULL TIME)	Liam O'Brien 685 Spencer Street West Melbourne VIC 3003	Union Official
BRANCH VICE-PRESIDENT (FULL TIME)	Collin Heath 685 Spencer Street West Melbourne VIC 3003	Union Official
BRANCH VICE-PRESIDENTS (HONORARY)	Shannon Threlfall-Clarke 685 Spencer Street West Melbourne VIC 3003	Union Official
	Percy Pillai 685 Spencer Street West Melbourne VIC 3003	Union Official
ORGANISERS AND BRANCH EXECUTIVE MEMBER	Ronnie Hayden 685 Spencer Street West Melbourne VIC 3003	Union Official
	Dick Stomps 685 Spencer Street West Melbourne VIC 3003	Union Official
\	Jeff Sharp 685 Spencer Street West Melbourne VIC 3003	Union Official
	Gavin Penn 685 Spencer Street West Melbourne VIC 3003	Union Official
	Rita Nasr 685 Spencer Street West Melbourne VIC 3003	Union Official
BRANCH EXECUTIVE MEMBERS (HONORARY)	Joel Archer C/- 685 Spencer Street West Melbourne VIC 3003	Paper Industry Worker

	Shane Burd C/- 685 Spener Street West Melbourne VIC 3003	Steel Industry Worker
	Susan Carey C/- 685 Spencer Street West Melbourne VIC 3003	Manufacturing Worker
	Heidemarie Dixon C/- 685 Spencer Street West Melbourne VIC 3003	Manufacturing Worker
	Peter King C/- 685 Spencer Street West Melbourne VIC 3003	Aluminium Industry Worker
	Harry Lumanovski C/- 685 Spencer Street West Melbourne VIC 3003	Glass Industry Worker
	Rodney Lynn C/- 685 Spencer Street West Melbourne VIC 3003	DSE Fire-fighter
	Patricia Rothville C/- 685 Spencer Street West Melbourne VIC 3003	Government Sector Worker
	Paul Spear C/- 685 Spencer Street West Melbourne VIC 3003	Steel Industry Worker
	Neil Tacey C/- 685 Spencer Street West Melbourne VIC 3003	Gas/Oil Industry Worker
NATIONAL EXECUTIVE MEMBERS (HONORARY)	Jimmy Mastrandonakis 685 Spencer Street West Melbourne VIC 3003	Union Official
	Gavin Penn 685 Spencer Street West Melbourne VIC 3003	Union Official
NATIONAL CONFERENCE DELEGATES	Ben Davis 685 Spencer Street West Melbourne VIC 3003	Union Official
	Joe Alaalatoa C/- 685 Spencer Street West Melbourne VIC 3003	Construction Worker
	Dennis Bradford C/- 685 Spencer Street West Melbourne VIC 3003	Glass Worker

Ray Christie
C/- 685 Spencer Street
West Melbourne VIC 3003

Gas/Oil Industry
Worker

Tanya Green
685 Spencer Street
West Melbourne VIC 3003

Union Official

Jim Ward
685 Spencer Street
West Melbourne VIC 3003

Union Official

Peter King
C/- 685 Spencer Street
West Melbourne VIC 3003

Aluminium Worker

Lenny Hosking
C/- 685 Spencer Street
West Melbourne VIC 3003

Gas/Oil Industry
Worker

Adrian Colebrook
C/- 685 Spencer Street
West Melbourne VIC 3003

Aluminium Industry
Worker

Geoffrey Terrill
685 Spencer Street
West Melbourne VIC 3003

Steel Industry
Worker

Ray West
C/-685 Spencer Street
West Melbourne VIC 3003

Paper Industry
Worker

"J"

THE AUSTRALIAN WORKERS' UNION
2015 OFFICE HOLDERS AND BRANCH EXECUTIVE
WESTERN AUSTRALIA BRANCH

BRANCH SECRETARY	Stephen Price PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
BRANCH PRESIDENT (HONORARY)	Andy Hacking C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
BRANCH ASSISTANT SECRETARY	Michael Zoetbrood PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
BRANCH VICE PRESIDENTS (HONORARY)	Jake Pascoe C/- PO Box 8122 Perth Business Centre Perth WA 6849	Hydroblaster
	Chris King C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
BRANCH EXECUTIVE COMMITTEE MEMBERS	Peter Hampton C/- PO Box 8122 Perth Business Centre Perth WA 6849	Water Industry Worker
	Craig Ramirez C/ - PO Box 8122 Perth Business Centre Perth WA 6849	Labourer
	Dean Cullen C/- PO Box 8122 Perth Business Centre Perth WA 6849	Union Organiser
	Brad Gandy PO Box 8122 Perth Business Centre Perth WA 6849	Union Organiser
	Denise Solly C/- PO Box 8122 Perth Business Centre Perth WA 6849	Laboratory Technician

Daniel Connors PO Box 8122 Perth Business Centre Perth WA 6849	Union Organiser
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Nikola Pavlovic C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
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Mathew Dixon PO Box 8122 Perth Business Centre Perth WA 6849	Union Organiser
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Tristan Gulvin C/- PO Box 8122 Perth Business Centre Perth WA 6849	Plant Operator
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**ALCOA PINJARRA REFINERY SUB-BRANCH
(HONORARY POSITIONS)**

SUB-BRANCH PRESIDENT	Stuart Allen C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
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SUB-BRANCH SECRETARY	Will Hope C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
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SUB-BRANCH VICE-PRESIDENT	Position Vacant	
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SUB-BRANCH VICE-PRESIDENT	Adam Draper C/- PO Box 8122 Perth Business Centre PERTH WA 6849	Refinery Worker
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NATIONAL CONFERENCE DELEGATES	Stephen Price PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
----------------------------------	--	----------------

Mike Zoetbrood PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
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	Andrew Hacking C/- PO Box 8122 Perth Business Centre Perth WA 6849	Refinery Worker
	Simon Price C/- PO Box 8122 Perth Business Centre Perth WA 6849	Miner
	Brad Gandy PO Box 8122 Perth Business Centre Perth WA 6849	Union Official
NATIONAL EXECUTIVE MEMBER (HONORARY)	Mike Zoetbrood PO Box 8122 Perth Business Centre Perth WA 6849	Union Official

Fair Work Commission

Fair Work (Registered Organisation) Act 2009

DECLARATION

Address of Organisation and List of Branches

I, SCOTT MCDINE, of level 10, 377-383 Sussex Street, Sydney, in the State of New South Wales, do solemnly and sincerely declare as follows:

1. I am the National Secretary of The Australian Workers' Union, an industrial union of employees registered under the Fair Work (Registered Organisations) Act 2009.
2. As prescribed by Regulation 147 (a) of the Fair Work (Registered Organisations) Act 2009, pursuant to Section 230 (1) (d) a record of the name and address of each Branch of the Organisation are as follows:
 - **National Office**
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
Email: members@nat.awu.net.au
 - **Greater New South Wales Branch**
16-20 Good Street, Granville, New South Wales, 2142
Email: info@awu-nsw.asn.au
 - **South Australian Branch**
22-24 Main Street, Mawson Lakes, South Australia, 5095
Email: awusa@awusa.asn.au
 - **Newcastle, Central Coast and Northern Regions Branch**
161 Maitland Road, Mayfield, New South Wales, 2304
Email: mail@australianworkersunion.com
 - **Port Kembla, South Coast and Southern Highlands Branch**
18 Belmore Street, Wollongong, New South Wales, 2500
Email: members@portkembla.awu.net.au
 - **Queensland Branch**
Level 12, 333 Adelaide Street, Brisbane, Queensland, 4000
Email: secretary@awu.org.au
 - **Tasmania Branch**
6 Lefroy Street, North Hobart, Tasmania, 7000
Email: admin@awutas.org.au

- Victoria Branch
685 Spencer Street, West Melbourne, Victoria, 3003
Email: victoria@awu.net.au
- Western Australia Branch
Level 3, 25 Barrack Street, Perth, Western Australia, 6000
Email: admin@awuwa.asn.au

AND I make this solemn declaration subject to the penalties provided by this Act for the making of false statements in declarations, conscientiously believing the statements in this declaration to be true and correct.

DECLARED this 15th day of March, 2016.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

Scott McDine
NATIONAL SECRETARY

Fair Work Commission

Fair Work (Registered Organisation) Act 2009

DECLARATION

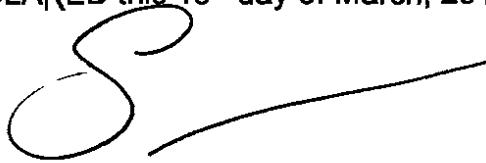
Elections in Organisation and Branches

I, SCOTT MCDINE, of level 10, 377-383 Sussex Street, Sydney, in the State of New South Wales, do solemnly and sincerely declare as follows:

1. I am the National Secretary of The Australian Workers' Union, an industrial union of employees registered under the *Fair Work (Registered Organisations) Act 2009*.
2. The Fair Work (Registered Organisations) Regulations, at 147 (e), prescribe keeping of records for elections that must be held under the year commencing 1 January
- 3 I hereby certify that in accordance with The Australian Workers' Union Rules, Rule 61 – Elections, no election must be held for the year commencing 1 January 2016 as an election took place in 2013, and there will be an election required for all elected positions of the AWU in 2017.

AND I make this solemn declaration subject to the penalties provided by this Act for the making of false statements in declarations, conscientiously believing the statements in this declaration to be true and correct

DECLARED this 15th day of March, 2016.

A handwritten signature in black ink, appearing to be 'S' followed by a long horizontal stroke.

Scott McDine
NATIONAL SECRETARY

Fair Work Commission

Fair Work (Registered Organisation) Act 2009

DECLARATION

Statement concerning number of members

I, SCOTT MCDINE, of level 10, 377-383 Sussex Street, Sydney, in the State of New South Wales, do solemnly and sincerely declare as follows:

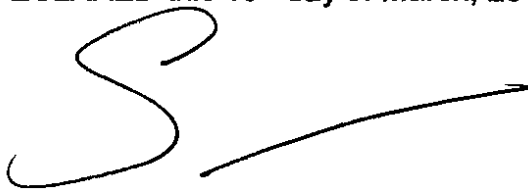
1. I am the National Secretary of The Australian Workers' Union, an industrial union of employees registered under the Fair Work (Registered Organisations) Act 2009.
2. (a) In accordance with the requirements of Regulation 147(f) and (g) of the Regulations, I believe the number of persons who were on 31 December 2015 both:
 - (i) members of the organisation; and
 - (ii) employees or independent contractors;is 98,763
- (b) There are no members of the organisation who were, on 31 December 2015 ineligible State members in relation to the organisation within the meaning of section 150 of the RAO Schedule.
3. I have formed the view expressed in paragraph 2(a) above on the following basis:
 - (a) I have been advised in writing by the Secretary of the Greater New South Wales Branch that the number of persons who were on 31 December 2015, both:
 - (i) members of the organisation; and
 - (ii) employees or independent contractors;is 14,527
 - (b) I have been advised in writing by the Secretary of the South Australia Branch that the number of persons who were on 31 December 2015, both:
 - (i) members of the organisation; and
 - (ii) employees or independent contractors;is 6,671

- (c) I have been advised in writing by the Secretary of the Newcastle, Central Coast and Northern Regions Branch that the number of persons who were on 31 December 2015, both:
- (i) members of the organisation; and
 - (ii) employees or independent contractors
- is 4,900
- (d) I have been advised in writing by the Secretary of the Port Kembla, South Coast and Southern Highlands Branch that the number of persons who were on 31 December 2015, both:
- (i) members of the organisation; and
 - (ii) employees or independent contractors;
- is 3,019
- (e) I have been advised in writing by the Secretary of the Queensland Branch that the number of persons who were on 31 December 2015, both:
- (i) members of the organisation; and
 - (ii) employees or independent contractors
- is 40,647
- (f) I have been advised in writing by the Secretary of the Tasmania Branch that the number of persons who were on 31 December 2015, both:
- (i) members of the organisation; and
 - (ii) employees or independent contractors;
- is 3,295
- (g) I have been advised in writing by the Secretary of the Victoria Branch that the number of persons who were on 31 December 2015, both:
- (i) members of the organisation; and
 - (ii) employees or independent contractors;
- is 18,683
- (h) I have been advised in writing by the Secretary of the Western Australia Branch that the number of persons who were on 31 December 2015 both:

- (i) members of the organisation; and
 - (ii) employees or independent contractors;
- is 7,021

AND I make this solemn declaration subject to the penalties provided by this Act for the making of false statements in declarations, conscientiously believing the statements in this declaration to be true and correct.

DECLARED this 15th day of March, 2016.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a long horizontal stroke that tapers to a point.

Scott McDine
NATIONAL SECRETARY



11 March 2016

Mr Scott McDine
National Secretary
Australian Workers' Union
By email: scott.mcdine@nat.awu.net.au

Dear Mr McDine,

**Australian Workers' Union
Annual Return of Information for 2016 [AR2016/161]**

I refer to our letter dated 10 February 2016 reminding you of the obligation to lodge an Annual Return of Information for 2016 by **31 March 2016**. 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) by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. 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.

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. 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 if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Anastasia Kyriakidis
Regulatory Compliance Branch

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

Telephone: (03) 8661 7777
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

A copy of each of the following records must be lodged with the Fair Work Commission (the Commission) between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] Note: 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 office and officer in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of office and officer in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] Note: this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the 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].



10 February 2016

Mr Scott McDine
National Secretary
Australian Workers' Union

By email: scott.mcdine@nat.awu.net.au

Dear Mr McDine,

**Australian Workers' Union
Annual Return of Information for 2016 [AR2016/161]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2016 in respect of the Australian Workers' Union by **31 March 2016**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* (the RO Act) must be lodged with the Fair Work Commission (the Commission) by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. 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.

As previously advised, 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](#).

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. 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 if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Anastasia Kyriakidis
Assistant Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

A copy of each of the following records must be lodged with the Fair Work Commission (the Commission) between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] Note: 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 office and officer in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of office and officer in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] Note: this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the 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].