



18 October 2016

Ms Kisanne Dulin  
Industrial Officer  
Consult Australia [Industrial]  
Email: [info@consultaustralia.com.au](mailto:info@consultaustralia.com.au)

Dear Ms Dulin,

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

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election of [E2016/175]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

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

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the *Fair Work (Registered organisations) Regulations 2009*).

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

Section 154D(1) of the Fair Work (Registered Organisations) Act 2009 (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. A list of approved training providers is attached.

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 provided for in your organisation's rules.

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

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

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

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

Telephone: (02) 8374 6666  
Email : [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)  
Internet : [www.fwc.gov.au](http://www.fwc.gov.au)

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

Regards

Michael Moutevelis

Regulatory Compliance Branch

# List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 <a href="mailto:ceo@ahawa.asn.au">ceo@ahawa.asn.au</a>
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 <a href="mailto:imacdonald@bic.asn.au">imacdonald@bic.asn.au</a>
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 <a href="mailto:jenifer.leuba@aigroup.asn.au">jenifer.leuba@aigroup.asn.au</a>
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 <a href="mailto:members@nat.awu.net.au">members@nat.awu.net.au</a>
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	<a href="#">AICD state-based contacts</a>
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 <a href="mailto:orgcentre@actu.org.au">orgcentre@actu.org.au</a>
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 <a href="mailto:dennisr@wwr.com.au">dennisr@wwr.com.au</a>
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 <a href="mailto:learning@lgnsw.org.au">learning@lgnsw.org.au</a>
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 <a href="mailto:ceo@aha.org.au">ceo@aha.org.au</a>
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 <a href="mailto:tom@dws.net.au">tom@dws.net.au</a>
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 <a href="mailto:vibeprctraining@bigpond.com">vibeprctraining@bigpond.com</a>
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	<a href="mailto:andrew.johnson@lgrceu.org">andrew.johnson@lgrceu.org</a>
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	<a href="mailto:paulm@mtaq.com.au">paulm@mtaq.com.au</a>

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

*[delete all that do not apply]*

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  1. *[include OLD name and address and NEW name and address of every branch that has changed]*
  2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*
    2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).]*

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

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

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

## ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:  
Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

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

**svc-adlib5**

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**From:** Rhys Richards <Rhys.Richards@aec.gov.au>  
**Sent:** Tuesday, 18 October 2016 9:57 AM  
**To:** Orgs  
**Subject:** CAI E2016/175 [DLM=For-Official-Use-Only]  
**Attachments:** RO REPORT COAI E2016-175.doc; Declaration E2016-175.rtf

## For-Official-Use-Only

Hi

Attached is the Post-Election report for the above election.

Thanks

**Rhys Richards | Senior Returning Officer**  
Industrial & Commercial Elections | NSW State Office  
Australian Electoral Commission  
T: (02) 9375 6362 | M: unknown | F: (02) 6215 9910



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## For-Official-Use-Only

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Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** Consult Australia [Industrial] (CAI)

**ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2016/175

**RULES**

**Rules used for elections Rule ID:** [156N:Rules as at Registration on 1/7/2014  
[D2013/121]

**Rules difficult to apply/interpret:** None

**Model Rule reference (if any):**

**ROLL OF VOTERS**

**Total number of voters on the roll** N/A

**Number of apparent workplace addresses**

**Number of non-current addresses**

**Other Matters** Nil

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

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

Other irregularities identified, and action taken: None

**ATTACHMENTS**

**A:** Uncontested Declaration

Rhys Richards  
Returning Officer  
17 October 2016

# Consult Australia [Industrial] National Council

## Declaration of Results for Uncontested Offices

**E2016/175**

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

### **National**

#### **National President**

##### Candidates

No nomination was received

#### **Secretary/Treasurer**

##### Candidates

No nomination was received

#### **Councillor (3)**

##### Candidates

DOYLE, Gerry

No further nominations were accepted

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



Rhys Richards  
Returning Officer

14 October 2016





# DECISION

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

## **Consult Australia [Industrial]** (E2016/175)

BILL STEENSON

SYDNEY, 15 AUGUST 2016

*Arrangement for conduct of election.*

[1] On 26 July 2016, Consult Australia [Industrial] lodged with the Fair Work Commission prescribed information in relation to an election. Subsequent to that lodgement, Commission staff queried some of the details submitted in that prescribed information.

[2] On 11 August 2016, Consult Australia [Industrial] lodged with the Fair Work Commission amended prescribed information in relation to an election for the following offices:

### **National Council**

National President	(1)
Secretary/Treasurer	(1)
Councillor	(3)

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



DELEGATE OF THE GENERAL MANAGER

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**From:** Kisanne Dulin <kisanne@consultaaustralia.com.au>  
**Sent:** Thursday, 11 August 2016 5:00 PM  
**To:** Orgs  
**Subject:** Notice and Statement of Prescribed Information for an Election - amended  
**Attachments:** Notice and Statement of Prescribed Information for an Election.pdf

Please find attached the Notice and Statement of Prescribed Information for an Election for Consult Australia [Industrial].

Please contact me should you have any questions or require further information.

Regards  
Kisanne  
(**Industrial Officer, Consult Australia [Industrial]**)

**Kisanne Dulin**  
**Director - Marketing & Membership**



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

I, Andrew Mather, being the President of the Consult Australia [Industrial], make the following statement:

1. I am authorised to sign this statement containing prescribed information for Consult Australia [Industrial].
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed:



Dated: 11/08/16

**ANNEXURE A**

- Elections that are required [*insert as many pages as required*]:

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
<i>National</i>	<i>Secretary</i>	<i>1</i>	<i>Direct Voting System</i>	<i>Scheduled</i>	<i>Financial members</i>
	<i>President</i>	<i>1</i>	<i>Direct Voting System</i>	<i>Scheduled</i>	<i>Financial members</i>
<i>...</i>	<i>Councillors</i>	<i>3</i>	<i>Direct Voting Sydney</i>	<i>Scheduled</i>	<i>Financial members</i>
<i>...</i>					

- Important dates:

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	<i>First Monday in 3 October (rule 30.b)</i>
<b>Nominations CLOSE</b>	<i>28 days after noms open (rule 30.b)</i>
<b>Roll of Voters cut off date</b>	<i>7 days prior to nominations opening (rule 30.a)</i>



1 July 2016

Ms Kisanne Dulin  
Industrial Officer  
Consult Australia [Industrial]  
By email: [kisanne@consultaaustralia.com.au](mailto:kisanne@consultaaustralia.com.au)  
CC: AEC Returning Officer by email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Ms Dulin,

### **Courtesy Letter - Election for offices [E2016/175]**

The rules of the Consult Australia [Industrial] indicate that an election for offices within the organisation is due to commence shortly. It appears that nominations for the election open in October this year.

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Fair Work Commission (the Commission) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election under your rules, please let the Commission know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <https://www.fwc.gov.au/registered-organisations/overview/registered-organisations-fact-sheets>.

The prescribed information should be emailed to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). If your organisation believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the General Manager within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the General Manager will consider such an application, there is no assurance that consent to a later day will be allowed.

**It should be noted Section 189(2) is a civil penalty provision.** Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The Commission intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the Commission cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

When lodging the prescribed information, please quote [E2016/175]

Should you seek any clarification in relation to the above, please contact the Commission on [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

Yours sincerely,

Anastasia Kyriakidis  
Regulatory Compliance Branch