



6 February 2019

Chief Executive
Local Government and Shires Association of New South Wales
lgsa@lgsa.org.au

Dear Chief Executive,

Notification of changes made to records [AR2018/75]

I acknowledge receipt of a Notification of Change to the office holders of the Local Government and Shires Association of New South Wales.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period (Yes/No). If No, how many days late
08-10-2018	N/A	Vice President (Regional/Rural council)	Yes

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Officer Induction Kit

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

The kit should not be printed as it is updated regularly and some of the documents are interactive. The ROC strongly recommends that all new officers, and officers who are seeking more information on their obligations and duties, are given the link to the officer induction kit. Please direct your new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

Mandatory disclosures

Please ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Details are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to the financial management to undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe.

Thank you for the notification.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

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

I, Linda Scott, being the President of the Local Government and Shires Association of New South Wales ("LGNSW"), 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)(c) 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.

A handwritten signature in black ink, appearing to be 'Linda Scott', written over a horizontal line.

Signed: Linda Scott (LGNSW President)

Dated: 4/10/18

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

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

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

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.

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
17.09.2018	Vice President (Regional/Rural council)	Lindsay Brown	Scott Ferguson	c/- Local Government and Shires Association of New South Wales, Level 8, 28 Margaret Street Sydney NSW 2000	Mayor – Blayney Shire Council



26 April 2018

Ms Linda Scott
President
Local Government and Shires Association of New South Wales
lgsa@lgsa.org.au
CC: Vikki.Sultana@lgnsw.org.au

Dear Ms Scott,

Notification of changes made to records [AR2018/75]

I acknowledge receipt of a statutory declaration providing a Notification of Change to an office holder of the Local Government and Shires Association of New South Wales.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Change	Within prescribed period (Yes/No). If No, how many days late
10/04/2018	Vice President (Regional / Rural)	Yes

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Officer Induction Kit

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

The kit should not be printed as it is updated regularly and some of the documents are interactive. The ROC strongly recommends that all new officers, and officers who are seeking more information on their obligations and duties, are given the link to the officer induction kit. Please direct your new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

Mandatory disclosures

Please ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Details are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to the financial management to undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe.

Thank you for your correspondence.

Yours faithfully,

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

Carolyn Moloney
Registered Organisations Commission



26 April 2018

Ms Linda Scott
President
Local Government and Shires Association of New South Wales
By email: lgsa@lgsa.org.au
Cc: Bruce.Morcombe@lgnsw.org.au

Dear Ms Scott,

Declaration and information lodged under subsection 233(1) [Annual Return] for [AR2018/75]

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 15 March 2018 of your organisation's Annual Return, which provides information under subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

Thank you for providing your Annual Return.

The documents lodged provide the required information for the Annual Return of the Local Government and Shires Association of New South Wales.


The Annual Return has been filed. Annual returns are publicly available on the website through the [List of Registered Organisations](#).

Notifications of Change

Any changes to these records must be notified to the ROC within 35 days of the change. A template Notification of Change Declaration is available on the [fact-sheets](#) page of our website. Local Government and Shires Association of New South Wales is encouraged to use this template if any changes occur.

If you have any queries regarding this correspondence I can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au

Yours faithfully,

A handwritten signature in black ink, appearing to read 'CMoloney', with a large, sweeping flourish extending to the right.

Carolyn Moloney
Registered Organisations Commission

From: Vikki Sultana <Vikki.Sultana@lgnsw.org.au>
Sent: Tuesday, 10 April 2018 4:57 PM
To: ROC - Registered Org Commission
Subject: AR2018/75 LGSANSW Notice of changes made to records required to be kept under section 230(1)(c) of the Fair Work (Registered Organisations) Act 2009.
[DKIM failed]
Attachments: Cover letter_changes to requires required to be kept_100418.pdf; Declaration of Linda Scott.pdf

Dear Commissioner,

Please find **attached** the following documents:

1. Cover letter signed by Adam Dansie, Senior Manager of Industrial Relations, Local Government NSW, attaching a Declaration signed by Linda Scott, President of Local Government NSW in relation to the above; and
2. Declaration signed by Linda Scott, President of Local Government NSW.

If you require any further clarification in relation to attached, please do not hesitate to contact the undersigned.

Regards,

VIKKI SULTANA
INDUSTRIAL OFFICER
LOCAL GOVERNMENT NSW

T 02 9242 4145 M [REDACTED]
VIKKI.SULTANA@LGNSW.ORG.AU
LGNSW.ORG.AU



LGNSW Employment Law Seminar
11 May 2018
Swissotel – 68 Market Street, Sydney
<http://www.lgnsw.org.au/events-training/local-government-nsw-employment-law-seminar>

Local Government Human Resources Conference
14 to 16 November 2018
Rydges World Square, Sydney
<http://www.lgnsw.org.au/events-training/local-government-human-resources-conference>

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>



LOCAL
GOVERNMENT
NSW

Further contact: adam.dansie@lgnsw.org.au

10 April 2018

The Commissioner
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

By email: regorgs@roc.gov.au

Dear Commissioner

Re: Notice of change to required records

The Local Government and Shires Association of New South Wales ("LGNSW") writes to notify the Registered Organisations Commission of changes made to records required to be kept under section 230(1)(c) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act').

Attached is a declaration signed by the President of LGNSW outlining the details of the changes to the records and certifying that this is a correct statement of the changes made.

If you have any questions, please contact the undersigned on (02) 9242 4142.

Yours sincerely

Adam Dansie
Senior Manager Industrial Relations

Encl: Statutory Declaration of Linda Scott, President of the Local Government and Shires Association of New South Wales.

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

¹ Insert the name, address and occupation of person making the declaration

I, Cr Linda Scott, President of the Local Government and Shires Association of New South Wales, also known as Local Government NSW ("LGNSW"), Level 8, 28 Margaret Street Sydney 2000, make the following declaration under the *Statutory Declarations Act 1959*:

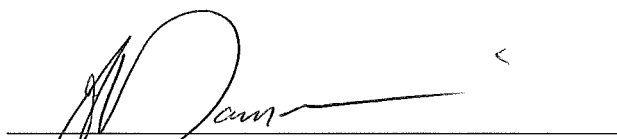
² Set out matter declared to in numbered paragraphs

1. I am duly authorised to give this declaration.
2. On 6 April 2018, Cr Lindsay Brown, formerly Vice President (Regional/Rural council) of LGNSW, ceased to be a member of the Board of LGNSW as he resigned. This resulted in a casual vacancy in accordance with the registered rules of LGNSW ("LGNSW rules"). This casual vacancy has not yet been filled.
3. Rules 40(d) and 40(f) of the LGNSW rules provide that the term of office for Vice President (Regional/Rural council) is two years. Mr Brown commenced his term on 6 December 2017 and was therefore four months into his term.
4. Rules 43-48 of the LGNSW rules prescribe how casual vacancies on the LGNSW Board are to be filled. In accordance with rule 48, where a casual vacancy is to be filled for so much of the part of the term as exceeds three quarters of the term of the office, the vacancy shall be filled by way of secret postal ballot in accordance with the provisions appropriate to the election for the vacant office.
5. LGNSW is required by subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (Cth) to lodge with the Registered Organisations Commission ("ROC") the prescribed information in relation to an election that is to be conducted by the Australian Electoral Commission.
6. I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.



Declared at Sydney on 10 April 2018

Before me,



Adam Dansie, Australian Legal Practitioner (Solicitor), of Level 8, 28 Margaret Street, Sydney, NSW, 2000.

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

svc-adlib5

From: Bruce Morcombe <Bruce.Morcombe@lgnsw.org.au>
Sent: Thursday, 15 March 2018 12:07 PM
To: ROC - Registered Org Commission
Subject: AR2018/75 LGNSW Annual Return 2018[DKIM failed]
Attachments: LGNSW Signed Annual Return 2018.pdf

Please find attached the 2018 annual return for the Local Government and Shires Association of NSW.

Regards

Bruce Morcombe
MANAGER, FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT NSW

T 02 9242 4191 M [REDACTED]
BRUCE.MORCOMBE@LGNSW.ORG.AU
lgnsw.org.au



Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

ANNUAL RETURN OF INFORMATION (organisation with no branches) in accordance with Regulation 147 *Fair Work (Registered Organisations) Regulations 2009* and Sections 230 and 233 *Fair Work (Registered Organisations) Act 2009*

I, Linda Scott, being the President of the Local Government and Shires Association of New South Wales (the "organisation"), declare the following:

1. I am authorised to make this declaration.
2. The register of members has, during the immediately preceding calendar year, been kept and maintained as required by s.230(1)(a) and s.230(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act).
3. The following is a correct statement of the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the Act:
 - The address of the organisation is Level 8, 28 Margaret Street, Sydney, NSW, 2000.¹
 - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.²
 - On 31 December in the previous year the number of members was 128 ordinary members and 13 associate members.³
 - Under the rules of the organisation elections are held biennially with the last election held at the annual conference on 5 – 6 December 2017.⁴
 - A list of offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a), (b), (c) & (d)


³ s.230(1)(d); reg.147(f)

⁴ s.230(1)(d); reg.147(e)

- The organisation has not entered into an agreement under s.151(1) of the Act with a state union.

Signed:

President



Linda Sett.

Dated:

14/3/2018.

[PLEASE NOTE: This declaration must be lodged with the Registered Organisations Commission by 31 March. It can be submitted to regorgs@roc.gov.au. If at any time in the year this information changes a Notification of Changes must be lodged with the ROC within 35 days of the change⁵.]

⁵ s.233(2); reg. 151

ANNEXURE A

- Offices and Office Holders in the Organisation:

Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
President	Linda Scott	City of Sydney GPO Box 1591 SYDNEY NSW 2001	Councillor
Immediate Past President	Keith Rhoades AFSM	Coffs Harbour City Council Locked Bag 155 COFFS HARBOUR NSW 2450	Councillor
Vice President (Metropolitan /Urban)	Angelo Tsirekas	City of Canada Bay Locked Bag 1470 DRUMMOYNE NSW 1470	Councillor
Vice President (Regional / Rural)	Lindsay Brown	Eurobodalla Shire Council PO Box 99 MORUYA NSW 2537	Councillor
Treasurer	Marjorie O'Neill	Waverly Council PO Box 9 BONDI JUNCTION NSW 1355	Councillor
Committee member (Metropolitan/Urban)	George Greiss	Campbelltown City Council PO Box 57, CAMPBELLTOWN NSW 2560	Councillor
Committee member (Metropolitan/Urban)	Michael Regan	Northern Beaches Council PO Box 1336, DEE WHY NSW 2099	Councillor
Committee member (Metropolitan/Urban)	Julie Griffiths	Blacktown City Council PO Box 63 BLACKTOWN NSW 2148	Councillor
Committee member (Metropolitan/Urban)	Khal Asfour	City of Canterbury Bankstown PO Box 8 BANKSTOWN NSW 1885	Councillor
Committee member (Metropolitan/Urban)	Lesley Furneaux-Cook	Burwood Council PO Box 240 BURWOOD NSW 1805	Councillor
Committee member (Metropolitan/Urban)	Karen McKeown	Penrith City Council PO Box 60 PENRITH NSW 2751	Councillor
Committee member (Metropolitan/Urban)	Mazhar Hadid	Liverpool City Council Locked Bag 7064 LIVERPOOL BC NSW 2171	Councillor
Committee member (Regional/Rural)	Darriea Turley	Broken Hill City Council PO Box 448 BROKEN HILL NSW 2880	Councillor

Committee member (Regional/Rural)	Ruth Fagan	Cowra Shire Council Private Bag 342 COWRA NSW 2794	Councillor
Committee member (Regional/Rural)	Rod Kendall	Wagga Wagga City Council PO Box 20 WAGGA NSW 2650	Councillor
Committee member (Regional/Rural)	Phyllis Miller OAM	Forbes Shire Council PO Box 333 FORBES NSW 2871	Councillor
Committee member (Regional/Rural)	Paul Harmon	Inverell Shire Council PO Box 764, INVERELL NSW 2360	Councillor
Committee member (Regional/Rural)	Marianne Saliba	Shellharbour City Council Locked Bag 155, SHELLHARBOUR CITY CENTRE NSW 2529	Councillor
Committee member (Regional/Rural)	Ben Shields	Dubbo Regional Council PO Box 81, DUBBO NSW 2830	Councillor



5 March 2018

Ms Donna Rygate
Chief Executive
Local Government and Shires Association of New South Wales

Sent via email: lgsa@lgsa.org.au

Dear Ms Rygate,

**Local Government and Shires Association of New South Wales
Annual Return of Information for 2018 [AR2018/75]**

I refer to our letter dated 1 February 2018 reminding you of the obligation to lodge an Annual Return of Information (Annual Return). Please ignore this letter if you have lodged the Annual Return in the last few days.

When must you lodge the Annual Return?

The Annual Return 2018 must be lodged no later than **31 March 2018**.

What must you lodge?

Two signed declarations certifying matters prescribed in the Fair Work (Registered Organisations) Act 2009 (the RO Act) must be lodged along with copies of some of your records. The required declarations and records are set out in the table that follows this letter.

Please refer to our previous correspondence which provides information about maintaining the register of members, a recommendation that private information not be provided and which explains who must sign the declarations.

Consider using the ROC's template

The ROC provides a template Annual Return for an organisation without branches and a template Annual Return for an organisation with branches on our [Factsheets, templates and webinars](#) page. We recommend that you use this template to ensure that you make the correct declarations and include all the required information.

Failure to comply

Failure to comply with these obligations exposes your organisation to financial penalties (up to \$63 000 for a body corporate and \$12 600 for an individual per contravention), under s.305 of the RO Act.

Need more information?

If you require further information about an Annual Return you can refer to the [Annual returns](#) page on our website and, in particular, our Webinar slides. You can also contact the ROC by phone on 1300 341 665 or by e-mail at regorgs@roc.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sam Gallichio', with a stylized, cursive script.

Sam Gallichio
Adviser
Registered Organisations Commission

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).

The following declarations and a copy of each of the following records must be lodged with the ROC between 1 January and 31 March each year.

Requirement	Details of requirement
Declaration regarding 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 ss.171A and 230(2)(b) of the RO Act which sets out certain circumstances where membership ceases to exist and when their names must be removed from the register, and s.172 which sets out when unfinancial members must be removed from the register
Declaration that correct statement of	A declaration stating by the Secretary or other prescribed officer that the copy of the records is a correct statement of the information contained in the records [s.233(1)(b)]
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
The number of members	A record of the number of members on 31 December in the previous year
The number of ineligible State members (if applicable)	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 r.147(g)]

Obligation to notify of changes within 35 days

If there are any changes to the records listed above an organisation must, within 35 days of the change, lodge with the ROC, 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].



1 February 2018

Ms Donna Rygate
Chief Executive
Local Government and Shires Association of New South Wales

Sent via email: lgsa@lgsa.org.au

Dear Ms Rygate,

**Local Government and Shires Association of New South Wales
Annual Return of Information for 2018 [AR2018/75]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2018 in respect of the Local Government and Shires Association of New South Wales by **31 March 2018**.

What must be lodged?

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* (the RO Act) must be lodged with the Registered Organisations Commission (the Commission). The matters to be included in the declaration are set out in the attached checklist.

In maintaining the register of members, your attention is drawn to the circumstances where membership ceases to exist (s.230(2)(b) and s.171A of the RO Act).

Once an Annual Return has been lodged, a copy will be posted on our website at [List of Registered Organisations](#). Therefore, to protect the privacy of the relevant office holders listed in the declarations, it is recommended that officers list their official mailing address rather than personal home address.

Who must sign the declaration?

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement.

Who lodges the Annual Return of information?

Section 233 places the onus of lodgement on the organisation and not on each individual branch. It is therefore the national body that is obliged to collate and lodge all of the required information. Annual Return templates are available on the Commission website at [Registered Organisations fact sheets](#), one for an [organisation with branches](#) and one for an [organisation without branches](#).

What happens if the information changes?

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

Failure to comply with these obligations is subject to a civil penalty provision (up to \$63,000 for a body corporate and \$12,600 for an individual per contravention), under s.305 of the RO Act.

Please do not hesitate to contact the Commission by phone on 1300 341 665 or by e-mail at regorgs@roc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours faithfully,



Sam Gallichio
Adviser
Registered Organisations Commission

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].