
From: ROC - Registered Org Commission
Sent: Thursday, 12 October 2017 3:40 PM
Subject: Education and advice campaign - notification of changes to records within prescribed timeframe [SEC=UNCLASSIFIED]
Attachments: Letter to orgs_Notifications of Change.pdf; Fact Sheet_Notification of changes.pdf; Guidance Note_notifications of change.pdf; Legislative Summary_Notifications of Change.pdf

Good afternoon,

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

Kind regards,

Office of the Registered Organisations Commission

Tel: 1300 341 665
regorgs@roc.gov.au

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



Australian Government
Registered Organisations Commission

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12 October 2017

Dear Secretary (or prescribed office holder),

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

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

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

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

The importance of timely notifications

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

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

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

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

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

Educational reference documents

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

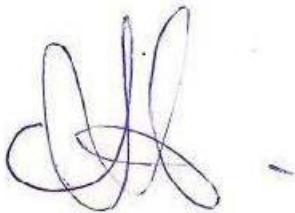
As one part of a strategy to assist organisations to increase voluntary compliance with the s.233(2) obligation, the ROC has recently produced some new educational guides which are **enclosed**:

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

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

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

Yours faithfully,

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

Chris Enright
Executive Director
Registered Organisations Commission



Fact sheet

Notification of changes

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

Records requiring notifications of any changes

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

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

What does the ROC do with the information?

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

When changes must be notified

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

What needs to be included?

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

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

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

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

Who can sign the declaration?

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

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

Sample Notification of Changes Template

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

- [Sample notification of change template](#)

Find out more

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

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



Guidance Note

Notifications of Change ROC Quiz

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

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

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

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



Guidance Note

Summary and Historical Context of the Legislative Provisions

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

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

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

Summary of the current provisions relevant to notifications of changes

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

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

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

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

Civil penalty: 60 penalty units.

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

(1) An organisation must keep the following records:

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

Regulation 147 of the RO Regs provides that:

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

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

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

Regulation 151 of the RO Regs provides that:

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

Section 5 of the RO Act provides that:

The standards set out in this Act:

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

Brief chronological history of the legislative provision

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

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

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

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

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

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



25 August 2017

Mr Colin O'Neill
Chief Financial Officer
Motor Traders' Association of New South Wales
colin.oneill@mtansw.com.au

Dear Mr O'Neill,

Notification of changes made to records [AR2017/28]

I acknowledge receipt of a Notification of Change to the office holders of the Motor Traders' Association of New South Wales.

This information was lodged with the Registered Organisations Commission (the ROC) in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act). The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly.

The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change
21/08/2017		New Councillors (7) New Alternate Councillor (1)

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

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are contained in the RO Act.

Thank you for the notification.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

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

I, David Keats, being the President of the Motor Traders' Association NSW 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.

3. The Association has no branches.

Signed: _____



Dated: 21.08.2017 _____

Changes to Offices and Office Holders in the Organisation.

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
21.07.2017 <i>(declaration of election result)</i>	Councillor - Clarence/Coffs Harbour District Division	Vacant	James Follett	c/- MTA NSW (Attention: Bran Spirovska) Po Box 715 Burwood NSW 1805	Director
21.07.2017 <i>(declaration of election result)</i>	Alternate Councillor - Metropolitan District Division	Vacant	Steve Popovic	As above	Director
21.07.2017 <i>(declaration of election result)</i>	Councillor - Australian Automobile Dealers Association South/South West	Vacant	Alexander Robert Massina	As above	Director
21.07.2017 <i>(declaration of election result)</i>	Councillor - Commercial Vehicle Industry Association of NSW Division	Vacant	David Raymond Tan	As above	Director
21.07.2017 <i>(declaration of election result)</i>	Councillor - Exhaust System Specialist Division	Vacant	Robert Moore	As above	Director

21.07.2017 <i>(declaration of election result)</i>	Councillor - Motor Cycle Industry Association of NSW Division	Vacant	Colin Gary Thomas	As above	Director
21.07.2017 <i>(declaration of election result)</i>	Councillor - Motor Vehicle Assessor and Inspector Division	Vacant	Kenneth Cassar	As above	Director
21.07.2017 <i>(declaration of election result)</i>	Councillor - Tow-Truck Operators Division	Vacant	Rodney Heseltine	As above	Director



28 July 2017

Mr Colin O'Neill
Chief Financial Officer
Motor Traders' Association of New South Wales
colin.oneill@mtansw.com.au

CC: lachlan.hodgson@mtansw.com.au

Dear Mr O'Neill,

Notification of changes made to records [AR2017/28]

I acknowledge receipt of a Notification of Change to the office holders of the Motor Traders' Association of New South Wales.

This information was lodged with the Registered Organisations Commission (the ROC) in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act). The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly.

The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change
1/06/2017		New Secretary, 11 new Councillors, 26 vacancies for Councillors
26/07/2017		New Treasurer, new Metropolitan Vice President (1), Secretary has resigned, position is vacant, 3 vacancies for Councillors

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

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are contained in the RO Act.

Thank you for the notification.

Yours faithfully,

Christine Hibberd

Registered Organisations Commission

GPO Box 2983, Melbourne VIC 3001
Telephone: 1300 341 665 | Email: regorgs@roc.gov.au
Website: www.roc.gov.au

**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, David Keats, being the President of the Motor Traders' Association NSW 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.

3. The Association has no branches.

Signed: _____



Dated: 26 July 2017

Changes to Offices and Office Holders in the Organisation.

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
21.06.2017 <i>(declaration of election result – re- elected)</i>	President	David Keats	David Keats	C/o MTA	Working Director
21.06.2017 <i>(declaration of election result)</i>	Treasurer	Philip Perdikaris	Adrian Carlson	C/o MTA	Managing Director
21.06.2017 <i>(declaration of election result – re- elected)</i>	Metropolitan Vice President	Ray Beekman	Ray Beekman	C/o MTA	Director/Owner

21.06.2017 <i>(declaration of election result – re-elected)</i>	Metropolitan Vice President	Brian Cowan	Brian Cowan	C/o MTA	Working Director
21.06.2017 <i>(declaration of election result – re-elected)</i>	Metropolitan Vice President	John Young	John Young	C/o MTA	Working Director
21.06.2017 <i>(declaration of election result)</i>	Metropolitan Vice President	Adrian Carlson	Graham Moore	C/o MTA	Director/Owner
21.06.2017 <i>(declaration of election result – re-elected)</i>	Country Vice President	Mark Beard	Mark Beard	C/o MTA	Company Director

21.06.2017 <i>(declaration of election result – re-elected)</i>	Country Vice President	Robert Garland	Robert Garland	C/o MTA	Working Director
21.06.2017 <i>(declaration of election result – re-elected)</i>	Country Vice President	Geoffrey Lowe	Geoffrey Lowe	C/o MTA	Working Director
22.06.2017 <i>(Resignation)</i>	Secretary	Ian Rolfe	Vacant	Vacant	Vacant
22.06.2017 <i>(Resignation)</i>	Councillor – Hire Car and Chauffer Driven Limousines Division	Vince Porfida	Vacant	Vacant	Vacant
23.06.2017 <i>(Resignation)</i>	Councillor – Farm Machinery Dealers Association Division	Ronald Arthur	Vacant	Vacant	Vacant
26.06.2017 <i>(Resignation)</i>	Councillor – Body Repair	Colin Hallinan	Vacant	Vacant	Vacant

	Division				
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**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, David Keats, being the President of the Motor Traders' Association NSW 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.

3. The Association has no branches.

Signed:



Dated:

1st June 2017

Changes to Offices and Office Holders in the Organisation.

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
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Secretary	Alexander Massina (Sandy)	Ian Arthur Rolfe	C/o MTA	Nil
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Australian Automobile Dealer's Association Metropolitan	Michael Williams	Vacant	Vacant	Vacant
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor – Australian Automobile Dealer's Association North/North West	Mark Van Ryswyk	Mark Van Ryswyk	C/o MTA	General Manager
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor – Australian Heavy Vehicle Repairers Association Division	Richard Nathan	Richard Nathan	C/o MTA	Business Development Manager
26.05.2017 <i>(term of office expires at AGM)</i>	Alternate Councillor – Australian Heavy Vehicle Repairers Association Division	Darren Wales	Vacant	Vacant	Vacant
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor - Auto Dismantlers Division	Matthew Perfrement	Vacant	Vacant	Vacant
26.05.2017	Councillor –	Adam Gorrell	Vacant	Vacant	Vacant

<i>(term of office expires at AGM)</i>	Automotive Electrical Specialists Division				
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Automotive Electrical Specialists Division	Mark Purnell	Vacant	Vacant	Vacant
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor – Automotive Mechanical Repairer Division	David Marston	David Marston	C/o MTA	Working Director
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Automotive Mechanical Repairer Division	Ray Beekman	Vacant	Vacant	Vacant
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor – Automotive Mechanical Repairer Division	Lindsay Vidler	Lindsay Vidler	C/o MTA	Working Director
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Automotive Mechanical Repairer Division	John Young	Vacant	Vacant	Vacant
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor – Automotive Mechanical Repairer Division	Donna Axiak	Donna Axiak	C/o MTA	Working Director
28.04.2017 <i>(declaration of election result – re-elected)</i>	Councillor – Automotive	AL Palmer	Mark Beard	C/o MTA	Company Director

result) 26.05.2017 (commences office at AGM)	Mechanical Repairer Division				
28.04.2017 (declaration of election result) 26.05.2017 (commences office at AGM)	Councillor – Automotive Mechanical Repairer Division	Danny Kabro	Robert Garland	C/o MTA	Working Director
28.04.2017 (declaration of election result – re-elected) 26.05.2017 (commences new term in office at AGM)	Councillor – Body Repair Division	Brian Cowan	Brian Cowan	C/o MTA	Working Director
28.04.2017 (declaration of election result – re-elected) 26.05.2017 (commences new term in office at AGM)	Councillor – Body Repair Division	Colin Hallinan	Colin Hallinan	C/o MTA	Working Director
26.05.2017 (term of office expires at AGM)	Alternate Councillor - Body Repair Division	Mohammed Rachidi	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – Brake Repair Specialist Division	David Keats	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – Engine Reconditioners' Association of NSW	Matthew Dunnell	Vacant	Vacant	Vacant

	Division				
26.05.2017 (term of office expires at AGM)	Councillor – Exhaust System Specialist Division	Robert Moore	Vacant	Vacant	Vacant
28.04.2017 (declaration of election result – re-elected)	Councillor - Farm Machinery Dealers Association Division	Ronald Arthur	Ronald Arthur	C/o MTA	Managing Director
26.05.2017 (commences new term in office at AGM)					
28.04.2017 (declaration of election result)	Councillor – General Trades Division	Philip Perdikaris	Robert Talbott	C/o MTA	Working Director / Owner
26.05.2017 (commences office at AGM)					
28.04.2017 (declaration of election result – re-elected)	Councillor – Hire Car and Chauffeur Driven Limousines Division	Vince Porfida	Vince Porfida	C/o MTA	Managing Director
26.05.2017 (commences new term in office at AGM)					
28.04.2017 (declaration of election result – re-elected)	Alternate Councillor – Hire Car and Chauffeur Driven Limousines Division	Michael Horsley	Michael Horsley	C/o MTA	Partner
26.05.2017 (commences new term in office at AGM)					
28.04.2017 (declaration of election result – re-elected)	Councillor – Licensed Used Car Dealers'	Darrin Towells	Darrin Towells	C/o MTA	Partner

26.05.2017 (commences new term in office at AGM)					
26.05.2017 (term of office expires at AGM)	Councillor – Licensed Used Car Dealers'	Senay Yildiz	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – Motor Vehicle Assessor and Inspector Division	Ken Cassar	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – Motor Cycle Industry Association	Colin Thomas	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – Rental Vehicle Division	Mae Schoer	Vacant	Vacant	Vacant
28.04.2017 (declaration of election result – re-elected) 26.05.2017 (commences new term in office at AGM)	Councillor – Service Station Division	Sarjit Saini	Sarjit Saini	C/o MTA	Working Director
26.05.2017 (term of office expires at AGM)	Councillor – Service Station Division	Arthur Petalotis	Vacant	Vacant	Vacant
28.04.2017 (declaration of election result) 26.05.2017 (commences office at AGM)	Alternate Councillor – Service Station Division	Vacant	Arthur Petalotis	C/o MTA	Working Director
28.04.2017 (declaration of election result – re-elected) 26.05.2017 (commences new term in	Councillor – Steering and Suspension Specialists Division	Geoffrey Lowe	Geoffrey Lowe	C/o MTA	Working Director

<i>office at AGM)</i>					
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Tow-truck Operators Division	Mark Piggott	Vacant	Vacant	Vacant
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Tyre Dealers and Retreaders Association of NSW Division	Ben Pomery	Vacant	Vacant	Vacant
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Councillor – Australian Capital Territory Division	Vacant	Gordon Butt	C/o MTA	Managing Director
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor – Clarence/Coffs Harbour District Division	Mark Beard	Vacant	Vacant	Vacant
26.05.2017 <i>(term of office expires at AGM)</i>	Councillor - Kempsey/Manning/Port Macquarie District Division	Robert Garland	Vacant	Vacant	Vacant
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor - Metropolitan District Division	Adrian Carlson	Adrian Carlson	C/o MTA	Managing Director
28.04.2017 <i>(declaration of election result – re-elected)</i> 26.05.2017 <i>(commences new term in office at AGM)</i>	Councillor - Metropolitan District Division	Mauro (Mick) Consalvi	Mauro (Mick) Consalvi	C/o MTA	Working Director
26.05.2017	Councillor -	Robert Talbott	Vacant	Vacant	Vacant

<i>(term of office expires at AGM)</i>	Metropolitan District Division				
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Councillor - Metropolitan District Division	Steve Popovic	Graham John Smith	C/o MTA	Working Director
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Councillor - Metropolitan District Division	Rod Bowen	Graham Moore	C/o MTA	Director/Owner
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Councillor - Metropolitan District Division	Russell Findlay	Ray Beekman	C/o MTA	Director/Owner
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Councillor - Metropolitan District Division	Chris Cooper	David Keats	C/o MTA	Working Director
28.04.2017 <i>(declaration of election result)</i> 26.05.2017 <i>(commences office at AGM)</i>	Councillor - Metropolitan District Division	Anthony Nikitaras	John Young	C/o MTA	Working Director
26.05.2017 <i>(term of office expires at AGM)</i>	Alternate Councillor - Metropolitan District Division	Bryan Freestone	Vacant	Vacant	Vacant

26.05.2017 (term of office expires at AGM)	Alternate Councillor - Metropolitan District Division	Graham Moore	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – Newcastle and Hunter District Division	Graham Gamer	Vacant	Vacant	Vacant
26.05.2017 (term of office expires at AGM)	Councillor – North and New England District Division	Michael King	Vacant	Vacant	Vacant
28.04.2017 (declaration of election result) 26.05.2017 (commences office at AGM)	Councillor – Richmond and Tweed District Division	Vacant	Kenneth Webb	C/o MTA	General Manager
26.05.2017 (term of office expires at AGM)	Councillor – Shoalhaven District Division	Suzanne Edwards	Vacant	Vacant	Vacant



FairWork
Commission

24 March 2017

Mr David Keats
President
Motor Traders' Association of New South Wales
Fax: (02) 9016 9099

Dear Mr Keats,

Annual Return of Information for 2017 [AR2017/28]

I acknowledge receipt on 16 March 2017 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The documents lodged cover the required information for the 2017 Annual Return of Information of the Motor Traders' Association of New South Wales.

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

Notifications of Change

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

Yours sincerely

Michael Moutevelis
Regulatory Compliance Branch



24 March 2017

Mr Stavros Yallouridis
Chief Executive Officer
Motor Traders' Association of New South Wales
Fax: (02) 9016 9099

Dear Mr Yallouridis,

Notification of changes made to records [AR2017/28]

I acknowledge receipt of a Notification of Change to the office holders of the Motor Traders' Association of New South Wales.

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
21 February 2017	MTANSW	Secretary
21 February 2017	MTANSW	Metropolitan 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

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: Lachlan Hodgson <lachlan.hodgson@mtansw.com.au>
Sent: Thursday, 16 March 2017 11:26 AM
To: Orgs
Cc: Albert Baumgartner; Bran Spirovska; Colin O'Neill
Subject: AR2017/28 - Annual Return of Information - MTA NSW
Attachments: Annual Return of information 2017 - MTA NSW.pdf

Dear FWC,

Please find attached the Annual Return of Information document for Motor Traders' Association New South Wales (MTA NSW) as required by section 233 of the Fair Work (Registered Organisations) Act 2009 (Cth).

Thank you.

Kind regards,

Lachlan Hodgson
Employment Relations Advisor
BA/LLB

Motor Traders' Association of NSW –
'The Voice of The Motor Industry'
214 Parramatta Road, Burwood NSW 2134

P. 02 9016 9000 | **Direct.** 02 9016 9033 | **F.** 02 9016 9099
E. lachlan.hodgson@mtansw.com.au | **W.** www.mtansw.com.au



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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, David Keats, being the President of the Motor Traders' Association New South Wales, 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 214 Parramatta Road, Burwood, NSW 2134 and the postal address is PO Box 715 Burwood, NSW 1805.¹
 - 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 3,558.³
 - 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)

- Under the rules of the organisation, the following elections must be held between 1 January and 31 December of THIS YEAR:⁴
 - (i) Division Councillors [numbers to be determined in accordance with the Association's rules] - Rule 29;
 - (ii) Division Alternate Councillors [numbers to be determined in accordance with the Association's rules] - Rule 29;
 - (iii) Office Bearers [ten (10) offices in total: One (1) President, Four (4) Metropolitan Vice Presidents, Four (4) Country Vice Presidents and One (1) Honorary Treasurer]- Rule 30; and
 - (iv) Secretary [one (1)] - Rule 36
- Has not entered into an agreement under s 151(1) of the Act with a state union.

Signed



Dated

16/03/2017

⁴ s.230(1)(d); reg.147(e)

ANNEXURE A

- **Offices and Office Holders in the Organisation**

Office Holders of the Motor Traders' Association of New South Wales

President

Mr D. (DAVID) KEATS
Director
Sindaco Air Brake Co. Pty Ltd
2/16-18 Northumberland Road
CARINGBAH NSW 2229

Mr R. (ROBERT) GARLAND
Director
Advanced Automotive Taree
73 Muldoon Street
TAREE NSW 2430

Vice President Metropolitan

Mr R. (RAY) BEEKMAN
Partner
RH & JA Beekman
Auto Consultants & Inspection Service
5/30 Caronia Avenue
CRONULLA NSW 2230

Mr A. (ADRIAN) CARLSON
Director
Autopersonnel
41 Trevenar Street
ASHBURY NSW 2193

Mr B. (BRIAN) COWAN
Director
Cronulla Smash Repairs
41B Captain Cook Drive
CARINGBAH NSW 2229

Mr J. (JOHN) YOUNG
Director
Automotive Professionals Pty Ltd
3/10 Hudson Avenue
CASTLE HILL NSW 2154

Vice President Country

Mr M. (MARK) BEARD
Director
Woolgoolga Service Centre
35 River Street
WOOLGOOLGA NSW 2456

Mr G. (GEOFFREY) LOWE
Managing Director
Proven Products Pty Ltd
81 Boronia Street
ALBURY NORTH NSW 2640

Mr L. (LINDSAY) VIDLER
Director
Vidler Automotive Industries Pty Ltd
7 Mortimer Place
WAGGA WAGGA NSW 2650

Treasurer

Mr P. (PHILIP) PERDIKARIS
Managing Director
Apprenticeships Are Us Ltd
8-10 Palmer Street
PARRAMATTA NSW 2150

Secretary

Mr A. (ALEXANDER) MASSINA (Sandy)

[REDACTED]
[REDACTED]



GOVERNING COUNCIL 2015- 2017

EXECUTIVE BOARD

President

D. (David) KEATS

Honorary Treasurer

P. (Philip) Perdikaris

Metropolitan Vice-Presidents

R. (Ray) BEEKMAN
A. (Adrian) CARLSON
B. (Brian) COWAN
J (John) YOUNG

Country Vice-Presidents

M. (Mark) BEARD
R. (Robert) GARLAND
G. (Geoff) LOWE
L. (Lindsay) VIDLER

Secretary

A (Alexander) MASSINA (Sandy)

AUSTRALIAN AUTOMOBILE DEALER'S ASSOCIATION (1) (METROPOLITAN DIVISION)

Councillor:

M. (MICHAEL) WILLIAMS
Stewart Toyota
489/497 Princes Highway Sutherland 2232
Ph: 02 9521 7111 - Fax: 02 9542 3065

Alternate: Nil

AUSTRALIAN AUTOMOBILE DEALERS' ASSOCIATION (2) (NORTH, NORTH WEST DIVISION)

Councillors:

M. (MARK) VAN RYSWYK
Coffs Harbour Toyota
192-196 Orlando Street, Coffs Harbour 2450
Ph: 02 6652 1933 - Fax: 02 6651 4596

Alternates: Nil

AUSTRALIAN AUTOMOBILE DEALERS' ASSOCIATION (2) (SOUTH, SOUTH WEST DIVISION)

Councillors: Nil

Alternates: Nil

AUSTRALIAN HEAVY VEHICLE REPAIRERS ASSOCIATION DIVISION (1)

Councillor:

R. (RICHARD) NATHAN
Nathans Smash Repairs
17 Groves Avenue Mulgrave 2756
Ph: 02 4577-7277 - Fax: 02 4577-2868

Alternate:

D. (DARREN) WALES
Wales Truck Repairs
214 Woodpark Road
Smithfield 2164
Ph: 02 9604 9426- Fax: 02 9725 2161

AUTO DISMANTLERS' (1)

Councillor:

M. (MATTHEW) PERFREMENT
Just Japanese Auto Parts
70-74 Hume Hwy Lansvale 2166
Ph: 02 9754 2666 - Fax: 02 9754 2638

Alternate: Nil

AUTO ELECTRICAL SPECIALISTS' (2)

Councillors:

A. (ADAM) GORRELL
Adam Gorrell Auto Electrics & Mechanical
Unit 2/14 Aspinall Place McGraths Hill 2756
Ph: 02 4577 2820 - Fax 02 4577 2811

M. (MARK) PURNELL
M & J Auto Electrics
173 Pitt Street Merrylands 2160
Ph: 02 9637 3605 - Fax: 02 9897 3990

Alternates: Nil

AUTO & MARINE TRIMMERS' (1)

Councillor: Nil

Alternate: Nil

AUTOMOTIVE MECHANICAL REPAIRERS' (7)

Councillors:

D. (DAVID) MARSTON
Sutherland Shire Home Tuning Services
Unit 7, 555 Princes Hwy Kirrawee 2232
Ph: 02 9545 6809 - Fax: 02 9542 2217

R. (RAY) BEEKMAN
RH & JA Beekman
Auto Consultants & Inspection Service
5/30 Caronia Avenue Cronulla 2230
Ph: 02 9523 7703 - Fax: 02 9527 0939

L. (LINDSAY) VIDLER
Vidler Automotive Industries Pty Ltd
7 Mortimer Place Wagga Wagga 2650
Ph: 02 6925 2588 - Fax: 02 6925 5808

J. (JOHN) YOUNG
Automotive Professionals Pty Ltd
3/10 Hudson Ave Castle Hill 2154
Ph: 02 9680 2244 - Fax: 02 9680 9400

D. (DONNA) AXIAK
Elite Automotive Repairs
Unit 3/49-51 Prime Drive Seven Hills 2147
Ph: 02 9620 6133 - Fax: 02 9620 6144

A. (AL) PALMER
Al Palmer Repairs Penrith Pty Ltd
4 Robertson Place Penrith South 2750
Ph: 4721 5060 - Fax: 02 4721 7648

D. (DANNY) KABRO
GO PRO AUTOMOTIVE
240 Parramatta Road Burwood 2134
Ph: 02 9747 1804 - Fax: 02 9747 1275

Alternates: Nil

AUTOMOTIVE TRANSMISSION & REBUILDERS' (1)

Councillor: Nil

Alternate: Nil

BODY REPAIR (2)

Councillors:

B. (BRIAN) COWAN
Cronulla Smash Repairs
41B Captain Cook Drive
Caringbah 2229
Ph: 02 9525 4000 - Fax: 02 9525 2079

C. (COLIN) HALLINAN
Polo Smash Repairs
11 By The Sea Road Mona Vale 2103
Ph: 02 9997 7740 - Fax: 02 9979 5107

Alternates:

M. (Mohamad) Rachidi
MBM Smash Repairs
49 CLAREMONT AVENUE Greenacre 2190
Ph: 02 9793 9929 - Fax: 02 9708 0884

BRAKE & CLUTCH REPAIR SPECIALIST (1)

Councillor:

D. (DAVID) KEATS
Sindaco Air Brake Co Pty Ltd
Unit 2/16-18 Northumberland Road Caringbah
Ph: 02 9540 2400 - Fax:

Alternate: Nil

CARAVAN INDUSTRY DEALERS (1)

Councillor: Nil

Alternate: Nil

COMMERCIAL VEHICLE INDUSTRY ASSOCIATION OF NSW (1)

Councillor: Nil

Alternate: Nil

ENGINE RECONDITIONERS' ASSOCIATION OF NSW (1)

Councillor:

M. (MATHEW) DUNNELL
Southern Engine Reconditioning Pty Ltd
Lot 3, Kembla Place Kembla Grange 2526
Ph: 02 4261 8719 - Fax: 02 4261 6988

Alternate: Nil

EXHAUST SYSTEM SPECIALISTS' (1)

Councillor:

R. (ROBERT) MOORE
Merrylands Budget Exhaust Centre
188 Pitt Street Merrylands 2160
Ph: 02 9637 0455 - Fax: 02 9637 9226

Alternate: Nil

FARM MACHINERY DEALERS ASSOCIATION (2)

Councillors:

R. (RON) ARTHUR
Nowra Truck & Tractor Repairs P/L
31A Bolong Road Bomaderry 2541
Ph: 02 4421 7188 - Fax: 02 4421 7507

Alternates: Nil

GENERAL TRADES (1)

Councillor:

P. (PHILIP) PERDIKARIS
Apprenticeships Are Us Ltd
8-10 Palmer Street
Parramatta 2150
Ph: 02 9891 6900 - Fax: 02 9687 3069

Alternate: Nil

HIRE CAR & CHAUFFEURS LIMOUSINE OPERATORS' (1)

Councillor:

V. (VINCE) PORFIDA
C D Limousines
6 Addison Street Wetherill Park 2164
Ph: 02 9604 4600 - Fax: 02 9725 5025

Alternate:

M. (MICHAEL) HORSLEY
Leisure Coast Limousines
29 Marshall Street Dapto 2530
Ph: 02 4261 7393 - Fax: 02 4262 2990

LICENSED USED CAR DEALERS' (2)

Councillors:

S. (SENAY) YILDIZ
Flemington Autos
318 Parramatta Road Homebush West 2140
Ph: 02 9764 5000 - Fax: 02 9746 1596

D. (DARRIN) TOWELLS
New England Autos
91 Barney Street Armidale 2350
Ph: 02 6772 2241 - Fax: 02 6772 2245

Alternates: Nil

MOTOR BUS (1)

Councillor: Nil

Alternate: Nil

MOTOR VEHICLE ASSESSOR & INSPECTOR DIVISION (1)

Councillor:

K (KEN) CASSAR
CHECKPOINT VEHICLE INSPECTIONS
1 TYNDAL CRESCENT BOWRAL 2576
Ph: 0438 090 263

Alternate: Nil

MOTOR CYCLE INDUSTRY ASSOCIATION (1)

Councillor:

C. (COLIN) THOMAS
Thomas Lee Motorcycles Pty Ltd
386 Frome Street Moree 2400
Ph: 02 6752 3566 - Fax: 02 6752 2687

Alternate: Nil

PARTS AND ACCESSORIES (2)

Councillors: Nil

Alternates: Nil

RADIATOR REPAIR SPECIALISTS (1)

Councillor: Nil

Alternate: Nil

RENTAL VEHICLE (1)

Councillor:

M. (MAE) SCHOER
HILLS CAR RENTALS
2/1 Celebration Drive Bella Vista 2153
Ph: 02 8814 7888 - Fax: 02 02 8824 4804

Alternate: Nil

RUSTPROOFING SPECIALISTS (1)

Councillor: Nil

Alternate: Nil

SERVICE STATION ASSOCIATION (2)

Councillors:

S. (SARJIT) SAINI
Caltex Wetherill Park
Cnr The Horsley Drive & McIlwraith Street
Wetherill Park 2164
Ph: 02 9756 3048 - Fax: 02 9725 3851

A. (ARTHUR) PETALOTIS
Budget Randwick
8 Perouse Road Randwick 2031
Ph: 02 9314 6050 - Fax: 02 9314 6050

Alternates: Nil

STEERING & SUSPENSION SPECIALISTS' (1)

Councillor:

G. (GEOFFREY) LOWE
Proven Products Pty Ltd
81 Boronia Street Albury North 2640
Ph: 02 6040 9955 - Fax: 02 6040 9911

Alternate: Nil

TOW TRUCK OPERATORS' (1)

Councillor:

M. (MARK) PIGGOTT
Collisioncare Pty Ltd
97 Lakemba Street Belmore 2192
Ph: 02 9718 6442 - Fax: 02 9787 7750

Alternate: Nil

TYRE DEALERS & RETREADERS ASSOCIATION OF NSW (2)

Councillors:

B. (BEN) POMERY
Blairs Tyre Service
633-635 Forest Road Peakhurst 2210
Ph: 02 9584 2777 - Fax: 02 9534 5661

Alternates: Nil

DISTRICT DIVISIONS

AUSTRALIAN CAPITAL TERRITORY (2)

Councillors: Nil

Alternates: Nil

CENTRAL COAST (2)

Councillors: Nil

Alternates: Nil

CENTRAL WEST (2)

Councillors: Nil

Alternates: Nil

CLARENCE/COFFS HARBOUR (1)

Councillor:

M. (MARK) BEARD
Woolgoolga Service Centre
35 River Street Woolgoolga 2456
Ph: 02 6654 0111 - Fax: 02 6654 8835
M: 0417 549 507

Alternate: Nil

GWYDIR/NORTH WEST (1)

Councillor: Nil

Alternate: Nil

ILLAWARRA (2)

Councillors: Nil

Alternates: Nil

KEMPSEY/MANNING/PORT MACQUARIE (2)

Councillors:

R. (ROBERT) GARLAND
Advanced Automotive Taree
73 Muldoon Street Taree 2430
Ph: 02 6552 6733 - Fax: 02 6552 7507

Alternates: Nil

METROPOLITAN (8)

Councillors:

A. (ADRIAN) CARLSON
Autopersonnel
41 Trevenar Street
Ashbury NSW 2193
Ph: 02 9798 2988 - Fax: 02 9798 0908

M. (MAURO (Mick)) Consalvi
Hume Smash Repairs
26 Hollywood Drive Lansvale 2166
Ph: 02 9727 6788 – Fax:

R. (ROBT) TALBOTT
Talbot Auctions Australia
14 Gregory Cress Beverly Hills 2209
Ph: 02 9596 1934 – Fax: 02 9596 1934

S. (Steve) POPOVIC
Mt Druitt Auto Body Repairs Pty Ltd
7 Stout Road Mt Druitt 2770
Ph: 02 9625 3766 – Fax: 02 9625 7245

R. (ROD) BOWEN
Rod Bowens Prestige Smash Repairs P/L
100 Sunnyholt Road Blacktown 2148
Ph: 02 9621-6708 – Fax: 02 9621-1246

R. (RUSSELL) FINDLAY
R K Findlay
3/17 Pembury Road Minto 2566
Ph: 02 9824 5140 - Fax: 02 02 9824 5142

C. (CHRIS) COOPER
ALL GM Spares P/L
82 Percival Road Smithfield 2164
Ph: 02 8788 5000 - Fax: 02 9604 1177

A. (ANTHONY) NIKITARAS
Sutherland Off Road Equipment
69 Waratah Street Kirrawee 2232
Ph: 02 9545 0666 - Fax: 02 9542 1250

Alternates:

B. (BRYAN) FREESTONE
Pro Axle Narellan
49 Topham Road Smeaton Grange 2567
Ph: 02 4648 2022 - Fax: 02 4651 1349

G. (GRAHAM) MOORE
Mosman Smash Repairs P/L
26-28 Chard Road Brookvale 2100
Ph: 02 9907 1161 - Fax: 02 9907 1264

NEWCASTLE & HUNTER (2)

Councillors:

G. (GRAHAM) GAMER
Valley Motor Auctions Pty Ltd
47 Munibung Road Cardiff 2285
Ph: 02 4956 2111 – Fax: 02 4957 2882

Alternates: Nil

NORTH & NEW ENGLAND (2)

Councillors:

M. (MICHAEL) KING
Kings Smash Repairs
13 Hinkle Road Tamworth 2340
Ph: 6765 6742 - Fax: 02 6762 3350

Alternates: Nil

RICHMOND TWEED (2)

Councillors: Nil

Alternates: Nil

SHOALHAVEN (1)

Councillor:

S. (SUZANNE) EDWARDS
EGR Trailers
2/186 Princes Highway Nowra South 2541
Ph: 02 4423 5686 - Fax: 02 4423 6035

Alternate: Nil

SOUTH (2)

Councillors: Nil

Alternates: Nil

SOUTH COAST (1)

Councillor: Nil

Alternate: Nil

SOUTH WEST (2)

Councillors: Nil

Alternates: Nil

WEST (2)

Councillors: Nil

Alternates: Nil



FairWork
Commission

6 March 2017

Mr Colin O'Neill
Chief Financial Officer
Motor Traders' Association of New South Wales
(02) 9016 9099

Dear Mr O'Neill,

**Motor Traders' Association of New South Wales
Annual Return of Information for 2017 [AR2017/28]**

I refer to our letter of January 2017 reminding you of the obligation to lodge an Annual Return of Information for 2017 by 31 March 2017. While the organisation has until the end of the month in which to lodge the information, we provide the following as a second and final reminder. Please ignore this letter if you have lodged the Annual Return in the last few days.

A signed and dated declaration certifying matters prescribed in the Fair Work (Registered Organisations) Act 2009 (the RO Act) must be lodged with the Fair Work Commission (the Commission) or the Registered Organisation Commission (the ROC) by the 31 March 2017.

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

Where to lodge your Annual Return of information

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

What must be lodged?

The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. Further, you are reminded that the Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records that may occur throughout the year.

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

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,

Christine Hibberd
Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

A copy of each of the following records must be lodged with the Fair Work Commission (the Commission) between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [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].

From: Lachlan Hodgson <lachlan.hodgson@mtansw.com.au>
Sent: Tuesday, 21 February 2017 3:12 PM
To: Orgs
Cc: Albert Baumgartner
Subject: MTA NSW - Notification of change in office bearers
Attachments: Notification of Change in Records - 21 February 2017.pdf

Categories: RIA

Dear FWC,

MTA NSW has recently had a change in office holders.

Please find attached a Notification in Change of Records informing the Commission of the change, as required under the Act.

Kind regards,

Lachlan Hodgson
Employment Relations Advisor
BA/LLB

Motor Traders' Association of NSW –
'The Voice of The Motor Industry'
214 Parramatta Road, Burwood NSW 2134

P. 02 9016 9000 | Direct. 02 9016 9033 | F. 02 9016 9099
E. lachlan.hodgson@mtansw.com.au | W. www.mtansw.com.au



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 **Please consider the environment before printing this email.**



21 February 2017

TO WHOM IT MAY CONCERN

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, Stavros Yallouridis, being the Chief Executive Officer of the Motor Traders' Association NSW 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: _____

MTA Head Office
214 Parramatta Road Burwood, NSW, 2134 | Ph: (02) 9016 9000 | Fax: (02) 9016 9099
Postal address: PO Box 715 Burwood 1805
ABN 63 000 008 088 | www.mtansw.com.au

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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
NSW	7.02.2017	Secretary	James McCall	Alexander Massina (Sandy)	[REDACTED]	Semi-Retired (Primary Producer)
NSW	15.02.2017	Metropolitan Vice President	David Keats	John Young	[REDACTED]	Director - Automotive Professionals Pty Ltd



FairWork
Commission

19 January 2017

Mr Colin O'Neill
Chief Financial Officer
Motor Traders' Association of New South Wales
By email: colin.oneill@mtansw.com.au & mail@mtansw.com.au

Dear Mr O'Neill,

**Motor Traders' Association of New South Wales
Annual Return of Information for 2017 [AR2017/28]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2017 in respect of the Motor Traders' Association of New South Wales by **31 March 2017**. However, for the reasons explained below, we strongly recommend that organisations lodge the Annual Return of information **as soon as possible**.

The new Registered Organisations Commission

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

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

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

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

Where to lodge your Annual Return of information

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

What must be lodged?

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

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

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

Who must sign the declaration?

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

Who lodges the Annual Return of information?

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

What happens if the information changes?

The Secretary, or other prescribed officer, must notify the Fair Work Commission (or the ROC when it is established) within 35 days of any changes to such records that may occur throughout the year.

Failure to comply with these obligations is subject to a civil penalty provision (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act.

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

Yours sincerely,

Marianne Kay
Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

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