

Australian Government

Australian Industrial Registry

Mr Terry Noone Federal Secretary Musicians' Union of Australia 150 Bell Street COBURG VIC 3058



Dear Mr Noone

Re: Annual Return of Information Contained in Records kept by Organisation – Musicians' Union of Australia (AR2008/415)

I refer to the above return of information lodged under s233(1) of the RAO Schedule on 16 April 2008. The return was not previously filed in view of the Registry's consideration of the organisation's record of compliance in the areas of financial reporting and the conduct of elections.

The documents lodged included all the information prescribed by RAO regulation 147, and therefore I wish to confirm that the documents will now be filed. However I wish to take this opportunity of raising the issue of elections with you, since this is also a matter which the organisation must address.

Elections in 2008

The annual return itemises correctly the offices for re-election in 2008 in the Federal office and in the Adelaide, Brisbane, Sydney, Hobart and Launceston branches. However, to date, only Adelaide has applied for and been granted an election in 2008 (E2008/246).

Missed elections 2006

A careful review of the Registry's records also shows that Branch elections have not always been held in accordance with rule 73(C)(a). For example, the Hobart Branch did not hold an election for its office-holders in 2006; and the last election for the Melbourne Branch - E2007/4 held in late 2007 – should, under this rule, also have been held in 2006.

Federal terms of office

The elections for those Federal offices of three year terms also do not appear to have been held strictly in accordance with rule 31(C)(a) – the last election (E2004/4) on record being granted in November 2004 and declared in February 2005. Under this rule, elections should have been held for the Federal offices in 2003 and 2006. Allowing for the late commencement of the three-year term, an election became due in February 2008.

Given the collegiate nature of the election for Federal offices, it is the Registry's view that, as closely as practicable under the rules, an election for Federal offices should follow scheduled Branch elections. (I note that the three-year Federal Office terms are longer than the two-year terms of the Branch Committee office-holders who form the electorate of the Federal Council, and wonder whether this has presented practical problems in scheduling or synchronising elections in recent years.)

Of course, despite any issues of sequence, the obligation to lodge prescribed information under s189 of the RAO Schedule in relation to the Federal offices remains.

Brisbane and Sydney office elections

Finally, I seek your advice whether, notwithstanding the present administrative arrangements for the Brisbane and Sydney Branches, there is any intention to hold elections for offices in the short- or medium term.

It is the Registry's view that, in line with the legislative objects set out in s5(3) of the RAO Schedule, namely, of ensuring that organisations are representative of and accountable to their members, encouraging members to participate in the affairs of the organisation to which they belong, encouraging efficient management and high standards of accountability to members, and providing for democratic functioning and control, an obligation to make reasonable attempts to fill offices by election remains so long as the rules of the organisation require them.

I would appreciate your comments and advice on the above matters. I am mindful of the passage of time and the fact that only two months remain of the current calendar year in which to lodge prescribed information for an election.

Yours sincerely

Stephen Kellett for Deputy Industrial Registrar

30 October 2008

ECE, Steve

From: Sent: To: Subject: VALE, David Wednesday, 16 April 2008 9:38 AM TEECE, Steve FW: Dispatch advice of electronic filing - Registered Organisations - Matter Number AR2008/15

Attachments:

Branch Info 08.pdf; covletterIR08.pdf



Branch Info 08.pdf covletterIR08.pdf (56 KB) (147 KB)

^{B.pdf} ^{B)} Hi Steve,

The Muso's AR has arrived.

David Vale

Assistant Team Manager Statutory Services Australian Industrial Registry

Phone: 02 8374 6509 Email: david.vale@air.gov.au

-----Original Message-----From: Melbourne@air.gov.au Sent: Wednesday, 16 April 2008 8:16 AM To: VALE, David Subject: FW: Dispatch advice of electronic filing - Registered Organisations - Matter Number AR2008/15

Shelley Murray Victoria Service Team Australian Industrial Registry Ph: (03) 8661 7945 Fax: (03) 9655 0401 email: shelley.murray@air.gov.au

-----Original Message-----From: aircefiling@air.gov.au [mailto:aircefiling@air.gov.au] Sent: Tuesday, 15 April 2008 7:21 PM To: Melbourne@air.gov.au Subject: Dispatch advice of electronic filing - Registered Organisations - Matter Number AR2008/15

This message with the electronic document(s) attached have been dispatched to the email addresses specified above. For the purposes of subrules 69 (5) & (6), this is NOT an acknowledgement that your document is taken to have been filed with the Australian Industrial Registry. You will be subsequently advised whether your document is taken to have been filed.

Please review the details below and inform the registry by email at the address specified below if they are incorrect and/or incomplete.

The documents will be manually checked against the Rules of the Commission by Registry staff as soon as possible and you will be advised by email of any anomaly.

Please note that each registry of the Industrial Registry is open on ordinary working days between the hours of 9.00 am and 5.00 pm, local time.

VIC Registry Email: melbourne@air.gov.au 15/04/2008 19:18

Type of Application: annual returns Matter Number (IF your eFiling is accepted): AR2008/15 Registry in which to be filed: VIC

Contact Details Title: Mr Given name(s): Terry Surname: Noone Position: Federal Secretary Organisation: Musicians Union of Australia Address: 150 Bell St. Coburg VIC Postcode: 3058 Phone No: 0393557620 Mobile Phone No: 0409405657 Fax No: 0393557621

Email Address: musiciansua@aol.com

Comments:

Attachments:

Annual return: Branch Info 08.pdf Annual return: covletterIR08.pdf

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

Australian Industrial Registry Level 8, Terrace Towers 80 William Street EAST SYDNEY NSW 2011



OF AUSTRALIA

FEDERAL OFFICE

THE MUSICIANS' UNION

15/4/08

ANNUAL RETURN OF INFORMATION

Dear Sir/Madam,

Please find attached documents providing:

- a record of the name of each branch that commenced operation in the previous 12 months;
- a record of the name of each branch that ceased operation in the previous 12 months;
- a record of each election that must, under the rules of the organisation, be held during the year commencing 1 January 2008 for an office in the organisation and for an office in a branch of the organisation;
- a record of the number of members on 31 December 2007;
- other information as required by Section 233(1) of Schedule 1B Chapter 8 of the Workplace Relations Act 1996.

Yours sincerely,

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Terry Noone Federal Secretary Musicians' Union of Australia

DECLARATION BY FEDERAL SECRETARY

To the best of my knowledge and after careful enquiry within our organisation I hereby declare that:

- 1. A register of members has, during the immediately preceding calendar year, been kept and maintained as required by paragraph 230(1)(a) and subsection 230(2) of Schedule 1B Chapter 8 of the Workplace Relations Act 1996.
- 2. The attached documents (9 pages) comprise a correct statement of the information contained in the records required to be kept under paragraphs 230(1)(b), (c) and (d) of Schedule 1B Chapter 8 of the Workplace Relations Act 1996.

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Terry Noone Federal Secretary Musicians' Union of Australia

t: (03) 9355 7620

150 Bell St, Coburg, VIC 3058 f: (03) 9355 7621 e: musiciansua@aol.com

Musicians' Union of Australia

Names of branches that commenced operation in the twelve 12 months ended 31/12/07:

No new branches of the Musicians' Union of Australia commenced operations in the above twelve months

Names of branches that ceased operation in the twelve 12 months ended 31/12/07:

No branches of the Musicians' Union of Australia ceased operations in the above twelve months

Adelaide Branch

Reporting period: start 1/01/2007

end 31/12/2008

165 Hutt St. Adelaide

Address:

SA 5000

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
yes	yes	no	yes	yes	no
Number of	members at end of r	248			

Number of Salaried officers, Employees and Independent Contractors: 1

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
President	Hewitt	T. Alan	165 Hutt St.	Adelaide	sA	5000	Musician
Vice President	Clarke	Douglas G.	165 Hutt St.	Adelaide	SA	5000	Musician
Vice President	Lyle	John G	165 Hutt St.	Adelaide	SA	5000	Musician
Secretary/Treasurer	Moody	Samuel J.	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Althuizen	Franciscus H.	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Bevan	Michael	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Brow	Donald	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Fiddian	lan	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	McEwen	Gerard R.	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Tyrrell	Vashti	165 Hutt St.	Adelaide	SA	5000	Musician
Trustee	Clarke	Douglas G.	165 Hutt St.	Adelaide	SA	5000	Musician
Trustee	Guy	Robert W.	165 Hutt St.	Adelaide	SA	5000	Musician

Brisbane Branch

Musicians' Union of Australia

Reporting period: start

end 31/12/2008

1/01/2007

C/- Federal Office

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
yes	yes	yes	yes	yes	yes
Number of	members at end of r	124			

Number of Salaried officers, Employees and Independent Contractors: 0

No office bearers due to resignations

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
Acting Secretary	Clarke	Bernice Claire	150 Bell St.	Coburg	VIC	3058	Musician

Broken Hill Branch Musicians' Union of Australia

Address:

581 O'Neill St. Broken Hill NSW 2880

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
no	no	no	no	no	no
Number of	members at end of r	8			

Number of Salaried officers, Employees and Independant Contractors: 0

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
President	Long	James	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Vice President	Crombie	Dennis	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Vice President	Thompson	Gary	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Secretary/Treasurer	Ledwith	Maurice	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Committee Member	Crombie	S.	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Committee Member	Harvey	Ρ.	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Committee Member	Rauert	Pauline	581 O'Neill St.	Broken Hill	NSW	2880	Musician
Committee Member	Trezise	Т.	581 O'Neill St.	Broken Hill	NSW	2880	Musician

Reporting period: start 1/01/2007

end 31/12/2008

Federal Of	fice Music	ians' Union of A	ustralia R	eporting period:	start	end
Address:					1/01/2007	31/12/2008
150 Bell St.						
Coburg						
VIC 3058						
Officers due for elec	<u>tion in current year</u>					
Federal President	Federal Vice-Presidents(2)	Federal Treasurer	Federal Trustees(3)	Federal Secretary		
yes	yes	yes	yes	yes		
Number of member	s at end of report period:	N/A				
				、		
Number of Salaried	officers, Employees and In	dependent Contracto	<u>ors:</u> 2			

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
Federal President	Walsh	Reg	150 Bell St.	Coburg	VIC	3058	Musician
Federal Vice President	Anderson	Gavan	150 Bell St.	Coburg	VIC	3058	Musician
Federal Vice President	Fortescue	Michael	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Federal Treasurer	Shelverton	Denis	Shop 11, 113-115 Main Rd.St.	Moonah	TAS	7009	Musician
Federal Secretary	Noone	Terry	150 Bell St.	Coburg	VIC	3058	Musician
Federal Trustee	Cushion	Donald	Shop 11, 113-115 Main Rd.St.	Moonah	TAS	7009	Musician
Federal Trustee	Noone	Terry	150 Bell St.	Coburg	VIC	3058	Musician
Federal Trustee	Walsh	Reg	150 Bell St.	Coburg	VIC	3058	Musician

Hobart Branch

Address:

Shop 11, 113-115 Main Rd. Moonah TAS 7009

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
yes	yes	yes	yes	yes	yes
Number of	members at end of r	85			

Number of Salaried officers, Employees and Independent Contractors: 1

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
President	Kinsella	Mike	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Vice President	Fletcher	Douglas	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Vice President	Norris	Chris	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Treasurer	Davidson	Peter	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Secretary	Shelverton	Denis	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Committee Member	Andrews	Gerald	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Committee Member	Bradshaw	Fred	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Committee Member	Fortescue	Michael	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Committee Member	Gregs	Tony	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Committee Member	Johnston	Michael	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Committee Member	Lawler	Phil	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Trustee	Gregs	Tony	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Trustee	McCann	Geoff	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician
Trustee	Young	John	Shop 11, 113-115 Main Rd.	Moonah	TAS	7009	Musician

Reporting period: start 1/01/2007

end 31/12/2008

Launceston Branch Musicians' Union of Australia

Address:

PO Box 320 Kings Meadows Launceston TAS 7249

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
yes	yes	yes	yes	yes	yes
Number of	members at end of r	71			

Number of Salaried officers, Employees and Independent Contractors: 0

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
President	Bullock	June	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Vice President	Gadd	Don	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Secretary/Treasurer	Price	Glenn	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Baines	Ron	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Corrick	Stewart	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Koopman	Andrea	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Manson	Bill	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Matthews	Geoff	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Partridge	Bob	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Trustee	Baines	Ron	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Trustee	Challender	Ross	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Trustee	Price	Glenn	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician

Reporting period: start

end 31/12/2008

1/01/2007

Melbourne Branch Musicians' Union of Australia

Address:

150 Bell St. Coburg VIC 3058

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
no	no	no	no	no	no
Number of members at end of report period:			363		

Number of Salaried officers, Employees and Independent Contractors: 2

Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	
President	Anderson	Gavan	150 Bell St.	
Vice President	Ed	Bates	150 Bell St.	
Vice President	Zakharov	Martin	150 Bell St.	
Treasurer	Pergolese	Paul	150 Bell St.	
Secretary	Noone	Тепу	150 Bell St.	
Committee Member	James	David	150 Bell St.	
Committee Member	Richards	Alan	150 Bell St.	
Committee Member	Whitford	Peter	150 Bell St.	
Committee Member	Williams	Steve	150 Bell St.	
Committee Member	Young	Alanna	150 Bell St.	
Trustee	Anderson	Gavan	150 Bell St.	
Trustee	Noone	Terry	150 Bell St.	
Trustee	Pergolese	Paul	150 Bell St.	

Suburb	State	P'code	Occupation
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Brunswick	VIC	3058	Musician
Coburg	VIC	3058	Musician
Coburg	VIC	3058	Musician
Brunswick	VIC	3058	Musician
Coburg	VIC	3058	Musician

Reporting period: start 1/01/2007

end 31/12/2008

Sydney Branch Address:

Musicians' Union of Australia

Reporting period: start

end 31/12/2008

1/01/2007

C/- Federal Office

Officers due for election in current year

President	Vice-Presidents(2)	Treasurer	Committee	Trustees(3)	Secretary
yes	yes	yes	yes	yes	yes
Number of members at end of report period:			355		

Number of Salaried officers, Employees and Independent Contractors: 0

No office bearers due to resignations Details of office Bearers for reporting period:

Position	Surname	Given Name	Address	Suburb	State	P'code	Occupation
Administrator	Noone	Terry	150 Bell St.	Coburg	VIC	3058	Musician



Australian Government

Australian Industrial Registry

Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6990

Ref: AR2008/415

Mr Terence Joseph Noone Federal Secretary Musicians' Union of Australia 150 Bell Street COBURG VIC 3058

Dear Mr Noone

Re: Annual Return of Information Contained in Records Kept by Organisation – Musicians' Union of Australia (AR/2008/415)

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I am writing to remind you again of your obligations under section 233 of Schedule 1 of the *Workplace Relations Act 1996* (the RAO Schedule). I previously wrote to you regarding this issue on 23 January 2008, and, as of this date, the Registry has yet to receive an Annual Return of information from you.

This information should include the following:

- a declaration signed by you or other prescribed officer certifying that the register of members has been kept and maintained as required by paragraph 230(1)(a) and subsection 230(2) during 2007.
- (2) a copy of the *list of offices* in the organisation and its branches (if any).
- (3) a copy of the *names, postal addresses and occupations* of the persons holding such offices.
- (4) a list of the names of each branch (if the organisation has any).
- (5) a record of the *name of any branch which commenced or ceased operation* during 2007 (if applicable).
- (6) a record of the *addresses of the national, regional, divisional and/or branch offices* of the organisation (as applicable).
- (7) a record of *any election which must be held during 2008* under the rules of the organisation (if none, state so).
- (8) a record of the number of members of the organisation as at 31 December 2007.

- (9) a record of the number of any members who were ineligible State members within the meaning of s150 (only if the organisation has entered into a s151(1) agreement).
- (10) a *declaration* signed by you or other prescribed officer that the preceding copies of information being lodged are correct statements of the information contained in the organisation's records

Regulation 149 of the Workplace Relations (Registration and Accountability of Organisations) Regulations 2003 required this information to have been lodged by 31 March 2008. Therefore, I request you lodge this information by **15 April 2008**.

You should note that failure to comply with this obligation is subject to a civil penalty provision under section 305 of the RAO Schedule.

If you have any questions or are having difficulties compiling this information please contact Steve Teece on (02) 8374 6516 or at <u>steve.teece@air.gov.au</u>.

Yours sincerely

Tem lece

Steve Teece for Deputy Industrial Registrar

1 April 2008



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Australian Government

Australian Industrial Registry

Australian Industrial Registry Level 5, 11 Exhibition Street MELBOURNE 3000 Tel: (03) 8661 7777 -Fax: (03) 9655 0401

Ref: AR2008/415-[013N]

Mr Terence Joseph Noone Federal Secretary Musicians' Union of Australia 291-293 Albert Street Brunswick Vic 3056

Dear Mr Noone,

Musicians' Union of Australia Annual Return of Information Contained in Records Kept by Organisation

I am writing to remind you of your obligations under section 233 of Schedule 1 of the *Workplace Relations Act 1996* (the RAO Schedule). This section requires the organisation to lodge the following:

- (1) a declaration signed by you or other prescribed officer certifying that the register of members has been kept and maintained as required by paragraph 230(1)(a) and subsection 230(2) during 2007.
- (2) a copy of the *list of offices* in the organisation and its branches (if any).
- (3) a copy of the *names, postal addresses and occupations* of the persons holding such offices.
- (4) a list of the *names of each branch* (if the organisation has any).
- (5) a record of the *name of any branch which commenced or ceased operation* during 2007 (if applicable).
- (6) a record of the *addresses of the national, regional, divisional and/or branch offices* of the organisation (as applicable).
- (7) a record of *any election which must be held during 2008* under the rules of the organisation (if none, state so).
- (8) a record of the number of members of the organisation as at 31 December 2007.
- (9) a record of the number of any members who were ineligible State members within the meaning of s.150 (only if the organisation has entered into a s.151(1) agreement).
- (10) a *declaration* signed by you or other prescribed officer that the preceding copies of information being lodged are correct statements of the information contained in the organisation's records

Regulation 149 of the Workplace Relations (Registration and Accountability of Organisations) Regulations 2003 requires this information to have been lodged by **31 March 2008**.

You should note that failure to comply with this obligation is subject to a civil penalty provision under section 305 of the RAO Schedule.

If you have any questions or are having difficulties compiling this information please contact Steve Teece on (02) 8374 6506 or at steve.teece@air.gov.au.

Yours sincerely

Steve Teece for Deputy Industrial Registrar

23 January 2008