



FAIR WORK  
AUSTRALIA

27 April 2010

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



Dear Mr Noone

**Re: Lodgement of Annual Return – s233 Fair Work (Registered Organisations) Act 2009 -  
Musicians' Union of Australia (AR2010/2643)**

Thank you for lodging the above statutory return, which was received by Fair Work Australia today, 27 April 2010. The return includes the declaration and copies of records prescribed by s233 of the Act and RO regulation 147.

I have noted as correct the elections that have been declared as due during 2010. The respective prescribed informations under s189 of the Act should be lodged within the periods envisaged by the rules of the organisation consistent with the expiry of the terms of office.

I also note the information provided with respect to the dissolution of the Broken Hill Branch by the Federal Council during 20-22 June 2009. On the basis of this information, our records will be amended to reflect that the Broken Hill Branch ceased to be a reporting unit for the purposes of the Act after that date.

As we discussed on the telephone earlier this month, however, further details will need to be provided regarding any financial affairs that occurred from end June 2004 through to end June 2009, and to accompany any applications for exemption from financial reporting in respect of any eligible years.

Please do not hesitate to discuss any issue arising which you consider relevant in finalising the Branch's affairs.

Yours respectfully,

Stephen Kellett

Statutory Services Branch

Fair Work Australia  
Terrace Towers  
80 William Street  
EAST SYDNEY NSW 2011

27/4/10



THE MUSICIANS' UNION  
OF AUSTRALIA  
FEDERAL OFFICE

**ANNUAL RETURN OF INFORMATION**

Dear Sir/Madam,

Please find attached documents providing:

- a record of the name of each branch of the organisation;
- 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 the address of the office of the organisation and the address of the office of each branch of the organisation
- a record of each election that must, under the rules of the organisation, be held during the year commencing 1 January 2010 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 2009;
- other information as required by Section 233(1) of Fair Work (Registered Organisations) Act 2009.

Yours sincerely,

**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 the Fair Work (Registered Organisations) Act 2009.
2. The attached documents (8 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 the Fair Work (Registered Organisations) Act 2009.

 Dated: 27 April 2010

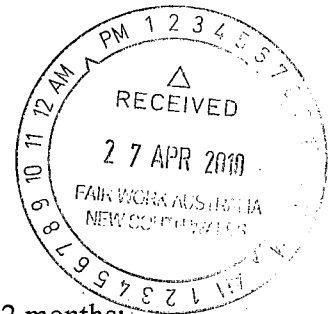
**Terry Noone**  
Federal Secretary  
Musicians' Union of Australia

150 Bell St, Coburg, VIC 3058

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## **Musicians' Union of Australia**

### **Names of branches that commenced operation in the twelve 12 months ended 31/12/09:**

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 31/12/09:**

The Broken Hill Branch of the Musicians' Union of Australia ceased operations in the above twelve months. The following Federal Council and Federal Executive motions were passed to dissolve the Branch in accordance with the rules of the organisation:

*Extract from the minutes of a meeting of the Federal Council of the Musicians' Union of Australia held from Saturday 20<sup>th</sup> June 2009 until Monday 22<sup>nd</sup> June 2009 :*

**Motion:** That the Broken Hill Branch be dissolved by the Federal Council under Rule 19bb

**Moved:** Terry Noone **Seconded:** Ken Laing

**Carried**

**Motion:** That the previous motion be referred to the Federal Executive under Rule 19bb

**Moved:** Sam Moody **Seconded:** Denis Shelverton

**Carried**

**Motion:** That for the purposes of Rule 19e the membership of the Broken Hill Branch is assigned to the Sydney Branch of Musicians' Union of Australia

**Motion:** Sam Moody **Seconded:** Ken Laing

**Carried**

**Motion:** That under rule 19e, the area of the Sydney Branch be increased to include the area formerly covered by the Broken Hill branch.

**Moved:** Terry Noone **Seconded:** Ken Laing

**Carried**

*Extract from the minutes of a meeting of the Federal Executive of the Musicians' Union of Australia held on Saturday 20<sup>th</sup> June and Sunday 21<sup>st</sup> June 2009:*

**Motion:** That the Federal Executive confirms the decision of the Federal Council regarding the dissolution of the Broken Hill branch under rule 19bb.

**Moved:** Ken Laing **Seconded:** Denis Shelverton

**Carried Unanimously**

## **Federal Office**

**Musicians' Union of Australia**

**Reporting period:** start 1/01/2009 end 31/12/2010

**Address:**  
150 Bell St.  
Coburg  
VIC 3058

### **Officers due for election in current year**

**Federal President**   **Federal Vice-Presidents(2)**   **Federal Treasurer**   **Federal Trustees(3)**   **Federal Secretary**  
no                      no                      no                      no                      no

**Number of members at end of report period:**      N/A

**Number of Salaried officers, Employees and Independent Contractors:**      2

### **Details of office Bearers for reporting period:**

<b><i>Position</i></b>	<b><i>Surname</i></b>	<b><i>Given Name</i></b>	<b><i>Address</i></b>	<b><i>Suburb</i></b>	<b><i>State</i></b>	<b><i>P'code</i></b>	<b><i>Occupation</i></b>
Federal President	Anderson	Gavan	150 Bell St.	Coburg	VIC	3058	Musician
Federal Vice President	Clarke	Douglas G.	165 Hutt St.	Adelaide	SA	5000	Musician
Federal Vice President	Davidson	Peter	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	Althuizen	Franciscus H.	165 Hutt St.	Adelaide	SA	5000	Musician
Federal Trustee	Price	Glenn	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Federal Trustee	Richards	Alan	150 Bell St.	Coburg	VIC	3058	Musician

# Adelaide Branch

Musicians' Union of Australia

Reporting period: start

end

Address:

165 Hutt St.  
Adelaide  
SA 5000

1/01/2009

31/12/2010

Officers due for election in current year

<i>President</i>	<i>Vice-Presidents(2)</i>	<i>Treasurer</i>	<i>Committee</i>	<i>Trustees(3)</i>	<i>Secretary</i>
yes	yes	yes	yes	yes	yes
<u>Number of members at end of report period:</u>			215		

Number of Salaried officers, Employees and Independent Contractors: 1

Details of office Bearers for reporting period:

<i>Position</i>	<i>Surname</i>	<i>Given Name</i>	<i>Address</i>	<i>Suburb</i>	<i>State</i>	<i>P'code</i>	<i>Occupation</i>
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	Ian	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Kostoglou	Letho	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	McEwen	Gerard R.	165 Hutt St.	Adelaide	SA	5000	Musician
Committee Member	Newton	Ian	165 Hutt St.	Adelaide	SA	5000	Musician
Trustee	Althuizen	Franciscus H.	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

Address:

1/01/2009

31/12/2010

C/- Federal Office

Officers due for election in current year

<i>President</i>	<i>Vice-Presidents(2)</i>	<i>Treasurer</i>	<i>Committee</i>	<i>Trustees(3)</i>	<i>Secretary</i>
yes	yes	yes	yes	yes	yes

Number of members at end of report period: 117Number of Salaried officers, Employees and Independent Contractors: 0

No office bearers due to resignations

Details of office Bearers for reporting period:

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

# Hobart Branch

Musicians' Union of Australia

Reporting period: start

end

Address:

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

1/01/2009

31/12/2010

Officers due for election in current year

<i>President</i>	<i>Vice-Presidents(2)</i>	<i>Treasurer</i>	<i>Committee</i>	<i>Trustees(3)</i>	<i>Secretary</i>
no	no	no	no	no	no

Number of members at end of report period: 72

Number of Salaried officers, Employees and Independent Contractors: 0

Details of office Bearers for reporting period:

<i>Position</i>	<i>Surname</i>	<i>Given Name</i>	<i>Address</i>	<i>Suburb</i>	<i>State</i>	<i>P'code</i>	<i>Occupation</i>
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	Burgess	David	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	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

# **Launceston Branch Musicians' Union of Australia**

**Address:**

PO Box 320 Kings Meadows  
Launceston  
TAS 7249

**Reporting period:** start 1/01/2009 end 31/12/2010

**Officers due for election in current year**

<i>President</i>	<i>Vice-Presidents(2)</i>	<i>Treasurer</i>	<i>Committee</i>	<i>Trustees(3)</i>	<i>Secretary</i>
no	no	no	no	no	no

**Number of members at end of report period:** 64

**Number of Salaried officers, Employees and Independent Contractors:** 0

**Details of office Bearers for reporting period:**

<i>Position</i>	<i>Surname</i>	<i>Given Name</i>	<i>Address</i>	<i>Suburb</i>	<i>State</i>	<i>P'code</i>	<i>Occupation</i>
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	Crawford	Alan	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Matthews	Geoff	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Trustee	Baines	Ron	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Trustee	Bullock	June	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Trustee	Price	Glenn	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician



# Melbourne Branch Musicians' Union of Australia

## Address:

150 Bell St.  
Coburg  
VIC 3058

Reporting period: start end  
1/01/2009 31/12/2010

## Officers due for election in current year

<i>President</i>	<i>Vice-Presidents(2)</i>	<i>Treasurer</i>	<i>Committee</i>	<i>Trustees(3)</i>	<i>Secretary</i>
yes	yes	yes	yes	yes	no

**Number of members at end of report period:** 284

**Number of Salaried officers, Employees and Independent Contractors:** 2

## Details of office Bearers for reporting period:

<i>Position</i>	<i>Surname</i>	<i>Given Name</i>	<i>Address</i>	<i>Suburb</i>	<i>State</i>	<i>P'code</i>	<i>Occupation</i>
President	Anderson	Gavan	150 Bell St.	Coburg	VIC	3058	Musician
Vice President	Ed	Bates	150 Bell St.	Coburg	VIC	3058	Musician
Vice President	Zakharov	Martin	150 Bell St.	Coburg	VIC	3058	Musician
Treasurer	Pergolese	Paul	150 Bell St.	Coburg	VIC	3058	Musician
Secretary	Noone	Terry	150 Bell St.	Coburg	VIC	3058	Musician
Committee Member	James	David	150 Bell St.	Coburg	VIC	3058	Musician
Committee Member	Richards	Alan	150 Bell St.	Coburg	VIC	3058	Musician
Committee Member	Whitford	Peter	150 Bell St.	Coburg	VIC	3058	Musician
Committee Member	Williams	Steve	150 Bell St.	Brunswick	VIC	3058	Musician
Committee Member	Young	Alanna	150 Bell St.	Coburg	VIC	3058	Musician
Trustee	Anderson	Gavan	150 Bell St.	Coburg	VIC	3058	Musician
Trustee	Noone	Terry	150 Bell St.	Brunswick	VIC	3058	Musician
Trustee	Pergolese	Paul	150 Bell St.	Coburg	VIC	3058	Musician

# Sydney Branch

Musicians' Union of Australia

Reporting period: start 1/01/2009 end 31/12/2010

**Address:**

C/- 150 Bell St  
Coburg  
VIC 3058

**Officers due for election in current year**

<i>President</i>	<i>Vice-Presidents(2)</i>	<i>Treasurer</i>	<i>Committee</i>	<i>Trustees(3)</i>	<i>Secretary</i>
yes	yes	yes	yes	yes	no

**Number of members at end of report period:** 204

**Number of Salaried officers, Employees and Independent Contractors:** 0

**Details of office Bearers for reporting period:**

<i>Position</i>	<i>Surname</i>	<i>Given Name</i>	<i>Address</i>	<i>Suburb</i>	<i>State</i>	<i>P'code</i>	<i>Occupation</i>
Vice President	Buckley	Tony	C/- 150 Bell St.	Coburg	VIC	3058	Musician
Secretary	Laing	Ken	C/- 150 Bell St.	Coburg	VIC	3058	Musician



FAIR WORK  
AUSTRALIA

16 April 2010

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



Dear Mr Noone

**Re: Lodgement of Annual Return – s233 Fair Work (Registered Organisations) Act 2009 -  
Musicians' Union of Australia (AR2010/2643)**

I refer to our discussion by telephone today in which I mentioned that the abovementioned annual return is now due.

A signed and dated declaration certifying matters prescribed in s233, and a copy of the records described in s230(1)(b), (c) and (d) and set out in regulation 147 should be lodged as soon as possible.

Yours respectfully,

Stephen Kellett

Statutory Services Branch



FAIR WORK  
AUSTRALIA

22 January 2010

Mr Terence Joseph Noone  
Federal Secretary  
Musicians' Union of Australia  
Via Email: [musiciansua@aol.com](mailto:musiciansua@aol.com)

Dear Mr Noone

**Musicians' Union of Australia  
Annual Return of Information for 2010 [AR2010/2643]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2010 in respect of the above by **31 March 2010**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the "RO Act"] must be lodged with Fair Work Australia [FWA] by that date. The matters to be included in the declaration are set out in the attached Checklist.

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

The secretary or other prescribed officer must also notify FWA within 35 days of any changes to such records.

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Once an Annual Return or change of records has been lodged, a copy will be posted on the FWA website at [www.fwa.gov.au](http://www.fwa.gov.au) – under *Registered organisations - List of registered organisations*. To protect the privacy of the relevant office holders listed in declarations, you may wish to list their postal, rather than home addresses.

FWA encourages you to lodge all returns electronically (e.g. as pdf files) at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au). Alternatively, you can forward the documents by fax to (02) 9380 6990.

Please ensure that emailed documents include signatures where required e.g. by scanning the signed documents into a PDF or TIF format.

Please do not hesitate to contact me on (02) 8374 6620 or by e-mail at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

Steve Teece  
Registered Organisations, NSW  
Fair Work Australia

## Obligation to lodge Annual Return of Information by 31 March

A copy of each of the following records must be lodged with Fair Work Australia [FWA] 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 (the "other prescribed officer" see RO Regulation 150).

For full details see ss230-233 of the Fair Work (Registered Organisations) Act 2009 [the "RO Act"], and Regulations 149-151 of the Fair Work (Registered Organisations) Regulations 2009 [the "RO Regulations"].

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Requirement	Details of requirement
<b>Maintenance of Register of Members</b>	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 ss230(1)(a) and (2) <i>[s233(1)(a)]</i>
<b>List of Offices</b>	A list of the offices in the organisation and each branch (note the definition of "office" and "officer" in ss6 and 9) <i>[s230(1)(b)]</i>
<b>List of Office holders</b>	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of "office" and "officer" in ss6 and 9) <i>[s230(1)(c)]</i>
<b>List of Branches</b>	A record of the name of each branch of the organisation <i>[s230(1)(d) and reg. 147(a)]</i>
<b>New Branches</b>	A record of the name of each branch that commenced operation in the previous 12 months <i>[s230(1)(d) and reg. 147(b)]</i>
<b>Old Branches</b>	A record of the name of each branch that ceased operation in the previous 12 months <i>[s230(1)(d) and reg. 147(c)]</i>
<b>Addresses of Organisation and Branches</b>	A record of the address of the office of the organisation and the address of the office of each branch <i>[s230(1)(d) and reg. 147(d)]</i>
<b>Elections in Organisation and Branches</b>	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. <i>[s230(1)(d) and reg. 147(e)]</i> <b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s189 of the RO Act
<b>Statement concerning number of members</b>	<ul style="list-style-type: none"> <li>A record of the number of members on 31 December in the previous year, and:</li> <li>if the organisation has entered into an agreement relating to members of State unions under s151(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 s150 of the RO Act.</li> </ul> <i>[s230(1)(d) and reg. 147(f) and (g)]</i>

### Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with FWA, 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 s233(2)* and *RO reg. 151* refer].