



FAIR WORK  
COMMISSION

18 January 2016

Mr Alan Richards  
Acting Secretary, Melbourne Branch  
Musicians' Union of Australia  
8 Palmerston Street  
CAMBERWELL VIC 3124

cc. Mr Peter Davidson, Acting Federal Secretary

Dear Mr Richards,

**Re: Lodgement of Annual Return of Information – Notification of Changes - s233 Fair Work (Registered Organisations) Act 2009 - Musicians Union of Australia - (AR2015/108)**

I acknowledge receipt on 15 January 2016 of your correspondence containing notification of changes made to records required to be kept under paragraphs 230(1)(b) and (d).

The correspondence has been filed.

Yours sincerely

Stephen Kellett  
Senior Adviser  
Regulatory Compliance Branch

-----Original Message-----

From: Orgs

Sent: Monday, 18 January 2016 8:55 AM

To: 'June Richards - Email'

Subject: RE: Change of address - office - Melbourne Branch

Dear Mr Richards,

Please see my letter in relation to the above, for your records.



MUS AR2015 108  
(Jan 16 letter acknow

Yours sincerely

STEPHEN KELLETT  
Regulatory Compliance Branch  
FAIR WORK COMMISSION

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283  
(email) [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)

-----Original Message-----

From: June Richards - Email [mailto:june@alleycats.net.au]

Sent: Friday, 15 January 2016 12:37 PM

To: Orgs

Subject: Change of address

Please find attached a letter explaining there is a change of address and Secretary for the Musicians' Union of Australia (Melbourne Branch):



Fairwork letter.doc

Regards

Alan Richards

Acting Secretary

Musicians' Union - Melbourne Branch

15<sup>th</sup> January 2016

The General Manager  
Fair Work Commission  
C/- 80 William Street  
EAST SYDNEY NSW 2011

Dear Madam

Re: Notification of changes to prescribed records – s233 Fair Work (Registered Organisations)  
Act 2009 – Regulation 147

I am the Acting Branch Secretary, of the Melbourne Branch of the Musicians' Union of Australia. I wish to notify, in accordance with sub-section 233(2) of the RO Act, that the address of the office of the Melbourne Branch - which is a prescribed record under regulation 147(d)(ii) - has changed. It is now:

8 Palmerston St  
Camberwell  
Victoria 3124

I also notify a change of office within the Branch - which is a prescribed record under section 230(1)(b) – to the effect that, following the resignation of Mr Terry Noone on 19<sup>th</sup> November 2015, I have been appointed Acting Branch Secretary of the Melbourne Branch.

Yours sincerely

*Alan Richards*

Acting Branch Secretary,  
Melbourne Branch

**From:** Peter [<mailto:peterdavidson@netspace.net.au>]

**Sent:** Monday, 4 January 2016 8:12 PM

**To:** Orgs

**Cc:** 'Sam Moody'; doug and sylvia fletcher; [federal.president@musicians.asn.au](mailto:federal.president@musicians.asn.au)

**Subject:** 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, Peter Davidson, being the Federal Secretary of the Musicians' Union of Australia, 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) On 25th of November 2015 the address of the Musicians' Union of Australia Federal Office changed to U4 23A King William Road, Unley, South Australia 5061

(b) On the 25th of November 2015, Peter Davidson of [REDACTED], [REDACTED] was appointed Federal Secretary in accordance with Rule 31 F (d) and (e) of the Union Rules.

(c) On the 30th of November 2015, Sam Moody of U4 23A King William Road, Unley, South Australia was appointed Federal Treasurer in accordance with Rule 31 F (d) and (e) of the Union Rules

Peter Davidson

Federal Secretary

Musicians Union Of Australia

4th January 2015



FAIR WORK  
COMMISSION

31 March 2015

Mr Terry Noone  
Federal Secretary  
Musicians' Union of Australia  
10 Black Street  
MONT ALBERT VIC 3127

Dear Mr Noone,

**Re: Lodgement of Annual Return of Information - Musicians Union of Australia - s233 Fair Work (Registered Organisations) Act 2009 - (AR2015/108)**

I acknowledge receipt on 25 March 2015 of your Declaration(s) providing information in accordance with sub-section 233(1) of the *Fair Work (Registered Organisations) Act 2009*.

The documents lodged cover the required information for the 2015 Annual return of information for the organisation.

The documents have been filed.

Please note that the information provided in relation to elections to be held in the current year raises a compliance issue which I have discussed with my colleague, Mr Rob Pfeiffer, specifically, what steps the Union, and some of its Branches, may have to take to ensure they comply with the timeframe requirements of current rules 31 and 73C, given that it appears from FWC records that some elections did not occur when they would otherwise have been due. Mr Pfeiffer will write to you separately on this matter in due course.

Yours sincerely

Stephen Kellett  
Senior Adviser, Regulatory Compliance Branch

**From:** KELLETT, Stephen  
**To:** ["Musicians" Union of Aust."](#)  
**Subject:** Attention Mr Terry Noone - Musicians Union of Australia - annual return of information - s233 - filing  
**Date:** Tuesday, 31 March 2015 3:49:00 PM  
**Attachments:** [MUS AR2015\\_108 \(letter final\).pdf](#)

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Dear Mr Noone,

Please see attached my letter in relation to the above.

Yours sincerely

STEPHEN KELLETT  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283  
(email) [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)

-----Original Message-----

From: [efiling@fwc.gov.au](mailto:efiling@fwc.gov.au) [<mailto:efiling@fwc.gov.au>]

Sent: Tuesday, 24 March 2015 9:11 PM

To: [sydney@fwc.gov.au](mailto:sydney@fwc.gov.au)

Subject: Dispatch advice of electronic filing - Registered Organisations -  
Matter Number AR2015/2

This message, with the electronic document(s) attached has been dispatched to the email address(es) specified above. For the purposes of subrules 20.5 & 20.6, this is NOT an acknowledgement that your document is taken to have been filed with Fair Work Commission. You will be subsequently advised whether your document is taken to have been filed.

Please review the details below and inform the office 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 Fair Work Commission as soon as possible and you will be advised by email of any anomaly.

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

NSW

Email: [sydney@fwc.gov.au](mailto:sydney@fwc.gov.au)

24/03/2015 21:04

Type of Application: annual returns

Matter Number (IF your eFiling is accepted): AR2015/2 Registry in which to be filed: NSW

#### Contact Details

Title: Mr

Given name(s): Terry

Surname: Noone

Position: Federal Secretary

Organisation: Musicians Union of Australia

Address: 10 Black St.

Mont Albert

VIC

Postcode: 3127

Phone No: 0398998915

Mobile Phone No: 0409405657

Fax No: 0390087823

Email Address: [REDACTED]

#### Attachments:



MUA 2015 Ann  
Retun .pdf





THE MUSICIANS' UNION  
OF AUSTRALIA  
FEDERAL OFFICE

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

24/3/15

### 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 2015 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 2014;
- 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: 24 March 2015

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

10 Black St, Mont Albert, VIC 3127

t: (03) 9899 8915

f: (03) 9008 7823

e: musiciansua@gmail.com

## **Musicians' Union of Australia**

### **Names of branches that commenced operation in the twelve 12 months ended 31/12/14:**

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 31/12/14:**

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

**Federal Office***Musicians' Union of Australia***Reporting period:** start 1/01/2014 end 31/12/2014**Address:**10 Black St.  
Mont Albert  
VIC 3127**Officers due for election in current year**

<i>Federal President</i>	<i>Federal Vice-Presidents(2)</i>	<i>Federal Treasurer</i>	<i>Federal Trustees(3)</i>	<i>Federal Secretary</i>
Yes	Yes	Yes	Yes	Yes

**Number of members at end of report period:** N/A**Number of Salaried officers, Employees and Independent Contractors:** 0.46**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>
Federal President	Anderson	Gavan	10 Black St.	Mont Albert	VIC	3127	Musician
Federal Vice President	Clarke	Douglas G.	4/23A King William Rd.	Unley	SA	5061	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	10 Black St.	Mont Albert	VIC	3127	Musician
Federal Trustee	Althuizen	Franciscus H.	4/23A King William Rd.	Unley	SA	5061	Musician
Federal Trustee	Price	Glenn	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Federal Trustee	Richards	Alan	10 Black St.	Mont Albert	VIC	3127	Musician

# ***Adelaide Branch***

*Musicians' Union of Australia*

**Reporting period:** star

end

**Address:**

4/23A King William Rd.  
Unley  
SA 5061

1/01/2014

31/12/2014

**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:** 168

**Number of Salaried officers, Employees and Independent** 0.5

**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	Clarke	Douglas G.	4/23A King William Rd.	Unley	SA	5061	Musician
Vice President	Callisto	John	4/23A King William Rd.	Unley	SA	5061	Musician
Secretary/Treasurer	Moody	Samuel J.	4/23A King William Rd.	Unley	SA	5061	Musician
Vice President	Fiddian	Ian	4/23A King William Rd.	Unley	SA	5061	Musician
Committee Member	Lang	Frank	4/23A King William Rd.	Unley	SA	5061	Musician
Committee Member	Levendis	Evniki	4/23A King William Rd.	Unley	SA	5061	Musician
Committee Member	Pearse	Dave	4/23A King William Rd.	Unley	SA	5061	Musician
Committee Member	Turner	Alan	4/23A King William Rd.	Unley	SA	5061	Musician
Trustee	Guy	Robert W.	4/23A King William Rd.	Unley	SA	5061	Musician
Trustee	Pearse	Dave	4/23A King William Rd.	Unley	SA	5061	Musician
Trustee	Spilsbury	Brett	4/23A King William Rd.	Unley	SA	5061	Musician

# ***Brisbane Branch***

*Musicians' Union of Australia*

**Reporting period:**

star

end

Address:

star

end

1/01/2014

31/12/2014

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:** 80

## **Number of Salaried officers, Employees and Independent**

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	10 Black St.	Mont Albert	VIC	3127	Musician

# ***Hobart Branch***

***Musicians' Union of Australia***

***Reporting period:*** star

end

**Address:**

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

1/01/2014

31/12/2014

**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:** 54

**Number of Salaried officers, Employees and Independent** 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
Secretary/Treasurer	Davidson	Peter	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
Committee Member	Shelverton	Denis	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***

**Reporting period:** star 1/01/2014 end 31/12/2014

**Address:**

PO Box 320 Kings Meadows  
Launceston  
TAS 7249

**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:** 39

**Number of Salaried officers, Employees and Independent** 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	Badcock	Andrea	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Vice President	Baines	Ron	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Secretary/Treasurer	Price	Glenn	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	Crawford	Alan	PO Box 320 Kings Meadows	Launceston	TAS	7249	Musician
Committee Member	James	Alan	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****Reporting period:** star 1/01/2014 end 31/12/2014**Address:**  
10 Black St.  
Mont Albert  
VIC 3127**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:** 241

**Number of Salaried officers, Employees and Independent** 0.2**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	10 Black St.	Mont Albert	VIC	3127	Musician
Vice President	Ed	Bates	10 Black St.	Mont Albert	VIC	3127	Musician
Vice President	Zakharov	Martin	10 Black St.	Mont Albert	VIC	3127	Musician
Treasurer	Richards	Alan	10 Black St.	Mont Albert	VIC	3127	Musician
Secretary	Noone	Terry	10 Black St.	Mont Albert	VIC	3127	Musician
Committee Member	James	David	10 Black St.	Mont Albert	VIC	3127	Musician
Committee Member	Whitford	Peter	10 Black St.	Mont Albert	VIC	3127	Musician
Committee Member	Williams	Steve	10 Black St.	Mont Albert	VIC	3127	Musician
Trustee	Anderson	Gavan	10 Black St.	Mont Albert	VIC	3127	Musician
Trustee	Noone	Terry	10 Black St.	Mont Albert	VIC	3127	Musician
Trustee	Richards	Alan	10 Black St.	Mont Albert	VIC	3127	Musician



# **Sydney Branch**

*Musicians' Union of Australia*

**Reporting period:** star

end

**Address:**

1/01/2014

31/12/2014

C/- 10 Black St.  
Mont Albert  
VIC 3127

**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:** 213

**Number of Salaried officers, Employees and Independent** 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>
Secretary	Laing	Ken	10 Black St.	Mont Albert	VIC	3127	Musician



18 March 2015

Mr Terence Noone  
Federal Secretary  
Musicians' Union of Australia  
Sent via email: [musiciansua@aol.com](mailto:musiciansua@aol.com)

Dear Mr Noone,

**Musicians' Union of Australia  
Annual Return of Information for 2015 [AR2015/108]**

I refer to our letter dated 19 February 2015 reminding you of the obligation to lodge an Annual Return of Information for 2015 by **31 March 2015**. 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 for 2015 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 FWC') 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 such other elected official who is required under the rules or by resolution of the organisation to keep the relevant records. A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the FWC within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on our website under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in declarations, you may wish to list their official mailing address rather than personal home address.

We encourage you to lodge all returns electronically e.g. as pdf files at [orgs@fwc.gov.au](mailto: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 \$51,000 for a body corporate and \$10,200 for an individual per contravention) - see s.305 of the RO Act. Further, 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.

Please do not hesitate to contact me on (03) 8661 7936 or by e-mail at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Robert Pfeiffer  
Senior 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) <i>[s.233(1)(a)]</i> <b>Note:</b> 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 <b>office</b> and <b>officer</b> in ss.6 and 9) <i>[s.230(1)(b)]</i>
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of <b>office</b> and <b>officer</b> in ss.6 and 9) <i>[s.230(1)(c)]</i>
List of Branches	A record of the name of each branch of the organisation <i>[s.230(1)(d) and r.147(a)]</i>
New Branches	A record of the name of each branch that commenced operation in the previous 12 months <i>[s.230(1)(d) and r.147(b)]</i>
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months <i>[s.230(1)(d) and r.147(c)]</i>
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 <i>[s.230(1)(d) and r.147(d)]</i>
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 . <i>[s.230(1)(d) and r.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 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. <i>[s.230(1)(d) and rr.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 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].



19 February 2015

Mr Terence Noone  
Federal Secretary  
Musicians' Union of Australia  
Sent via email: [musiciansua@aol.com](mailto:musiciansua@aol.com)

Dear Mr Noone,

**Musicians' Union of Australia  
Annual Return of Information for 2015 [AR2015/108]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2015 in respect of the Musicians' Union of Australia by **31 March 2015**.

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 FWC') 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 (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 FWC within 35 days of any changes to such records that may occur throughout the year.

As previously advised, 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 FWC website at [Registered Organisations fact sheets](#), one for an organisation with branches and one for an organisation without branches.

Once an Annual Return or change of records 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 pdf file) at [orgs@fwc.gov.au](mailto: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 \$51,000 for a body corporate and \$10,200 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 me on (03) 8661 7936 or by e-mail at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Robert Pfeiffer  
Senior 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 FWC') 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)] <b>Note:</b> 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 <b>office</b> and <b>officer</b> 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 <b>office</b> and <b>officer</b> 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)] <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 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 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 the FWC, 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].