



17 November 2015

Mr Suresh Manickam  
National Secretary/CEO  
National Electrical Contractors Association, The  
necanat@neca.asn.au

Dear Mr Manickam,

**Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/233]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (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 provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the National Electrical Contractors Association, The must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
  - the name of the office vacated;
  - the date of the change of office holder; and
  - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
  - the name of the office now held;
  - the date of the change of office holder;
  - the name of the person now holding the office;
  - the postal address of the person (generally the postal address of the organisation); and
  - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Debbie Ball  
Regulatory Compliance Branch

**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, [NAME], being the [OFFICER] of the [ORGANISATION NAME], 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*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  1. [include OLD name and address and NEW name and address of every branch that has changed]
  2. ...
- 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.
- On [DATE] the following branch[es]:<sup>3</sup>
  - COMMENCED/CEASED operation:
    1. [include name of each new branch]
    2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

**[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).]**

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

## ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

*Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.*

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							



Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**The National Electrical Contractors Association (NECA)**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2015/233

**RULES**

Rules used for the election: [233V: Incorporates alterations of 12 September 2014 [R2014/153]]

Rules difficult to apply/interpret: See Post Election Report for NECA election E2015/84 (dated 1 September 2015) – which identified a number of rules that were difficult to apply or interpret.

A response is still outstanding.

No further additions or changes.

Model Rule reference (if any): NA

**ROLL OF VOTERS**

Total number of voters on the Roll: 14

Number of apparent workplace addresses: NA

Number of non-current addresses: NA

Other matters pertaining to the roll of voters: NA

**IRREGULARITIES**

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil



## **ATTACHMENTS**

*National – National Council Office Bearers*



Declaration of  
Results

A handwritten signature in black ink, appearing to read 'Renee Damasena'.

Renee Damasena  
Returning Officer  
22 October 2015



## DECISION

*Fair Work (Registered Organisations) Act 2009*  
s.189—Arrangement for conduct of an election

### **The National Electrical Contractors Association** (E2015/233)

MR ENRIGHT

MELBOURNE, 8 SEPTEMBER 2015

*Arrangement for conduct of election.*

[1] On 1 September 2015, the National Electrical Contractors Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices due to insufficient nominations in E2015/85:

National President  
National Vice President  
National Treasurer

[2] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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national  
electrical and  
communications  
association

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W [www.neca.asn.au](http://www.neca.asn.au)  
ABN 76 319 016 742

by email to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

1 September 2015

Ms B. O'Neill  
General Manager  
Fair Work Commission  
GPO Box 1994  
MELBOURNE VIC 3001

Dear Ms O'Neill

**The National Electrical Contractors Association  
Election Notification Arrangements**

I herewith submit the prescribed information for the conduct of elections for NECA National officeholders. The reason for this request is due to insufficient nominations received at closing of the role for the recent scheduled election.

I, David Suresh Manickam state that the information is lodged under Section 189 of the Fair Work (Registered Organisations) Act 2009 and that I am the person authorised to make that statement.

I also request this be expedited and for nominations to begin on 10 September 2015 as there is a National Executive Committee meeting on that day.

Please contact myself or Wendy Ramjee on 02 9439 8523 if you require anything further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Suresh Manickam', written over a horizontal line.

Suresh Manickam  
National Secretary/CEO

Attach

cc. National Executive/Council

*Fair Work (Registered Organisations) Regulation 138*

**Prescribed Information for elections by The National Electrical Contractors Association (NECA)**

NECA hereby lodges prescribed information in respect of elections to be conducted by the Australian Electoral Commission.

**Scheduled Elections for National**

**National President, National Vice-President, National Treasurer** - elected by the Council and from the members of the National Executive.

**Reason for Election**

Insufficient nominations

**Closure of Roll for Voters**

The Roll will close 10 days prior to date nominations for office are invited.

**National President, National Vice President and National Treasurer** (by collegiate electoral system)

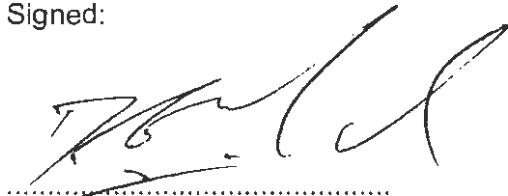
National Rule 18(f) provides that such elections be completed by 15 September.

**The above information is lodged under subsection 189(1) of the Act.**

**Nominations Opening and Closing**

To be determined by the returning officer.

Signed:



.....  
Suresh Manickam  
National Secretary

Date: 1 September 2015