



17 May 2021

Andrew Hickman
National Fire Industry Association
Sent via email: info@nfia.com.au

Notification of changes – Acknowledgment

Dear Andrew Hickman,

We acknowledge receipt of a Notification of Change to the National Fire Industry Association **(AR2020/58)**.

A list of those changes has been summarised in Appendix A at the end of this letter.

Please note that, while this notification has been accepted, it remains unclear whether it was signed by an authorised office holder, following discussions last year in which the Registered Organisations Commission was informed that there were no office holders in this organisation in preparation for voluntary de-registration. I also note that the annual return that this notification changes has no office holders listed.

Clarification regarding the issue of office holders would be appreciated.

Time frames for notifications of change

Notifications of change must be lodged within 35 days of the change occurring (r 151 Fair Work (Registered Organisations) Regulations 2009).

Resources to help you make your notifications of change

Notifications of change are vitally important to maintain the transparency of an organisation to its members. They empower members to hold the organisation properly to account for its decisions.

But we understand they can be a difficult requirement to get right. We have created resources to help you understand the notification of change requirement and complete it quickly.

These resources include:

- [notification of change template](#)
- a podcast that answers the question – [who is an officer?](#)
- and a [fact sheet on notifications of change](#) that explains the requirement



eLearning module – notifications of change

The ROC has launched an eLearning module to assist organisations in understanding when a notification of change is required.

The [eLearning module](#) is available on our website.

It will take approximately 20 minutes and has a short quiz at the end to help you test your knowledge.

Please contact 1300 341 665 or regorgs@roc.gov.au if you have any questions or would like to discuss this matter further.

Yours sincerely

Registered Organisations Commission

Appendix A

The table below outlines the changes notified and when they were lodged.

Our records have been updated.

The notification of change and this filing letter can be viewed on the ROC Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period (Yes/No). If No, how many days late
3/02/2021	N/A	Change of address	Yes



5/134 Racecourse Rd, Ascot, Qld 4007
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nfia.com.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, Andrew Hickman, being the President of the National Fire Industry Association 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:
 - On 22 January 2021, the address of the organisation changed to 5/134 Racecourse Road, Ascot Qld 4007.

Signed:

A handwritten signature in black ink that reads "A Hickman".

Dated: 3 February 2021



Australian Government
Registered Organisations Commission

26 May 2020

Andrew Hickman
President
National Fire Industry Association
Sent via email: info@nfia.com.au

Dear Andrew Hickman

The National Fire Industry Association's (NFIA) annual return of information (Annual Return) lodged under subsection 233(1) of the RO Act

Thank you for providing your declarations and information (Annual Return) lodged under subsection 233(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).

Summary of your Annual Return and Review Outcome

Year	2020
Matter number	AR2020/58
Lodgement date	31 March 2020
Review	Advanced Review
Result	FILED

Your advanced review

Your Annual Return had an **advanced review** which is a comprehensive review that evaluates compliance with the requirements of the RO Act.

Your Annual Return has been filed and uploaded to the ROC website.

You do not need to do anything further this year. The following comments are made to assist you when you prepare next year's Annual Return.



Annual return not signed by an officer

The ROC understands that all offices of the NFIA were vacated on 9 May 2017, when a new entity, the National Fire Industry Association of Australia Ltd (**the NFIAA**) was formed. The ROC also understands that an application has been made by the (now former) officers of the NFIA to the Fair Work Commission (**FWC**) seeking to register the new entity (FWC reference D2019/18) under the RO Act, and that this application refers to the associated cancellation of the registration of the existing organisation, the NFIA.

Please be aware that an application for registration of the NFIAA does not, of itself, extinguish the registration of the NFIA under the RO Act. Consequently, the NFIA is an entity that remains registered with the FWC as a registered organisation under the RO Act irrespective of any application seeking the registration of the new entity.

As per our correspondence to the NFIA on 22 May 2020, the ROC has referred information to the FWC pursuant to section 329G of the RO Act which may be relevant to the assessment by the FWC as to whether there are grounds for, and whether it is appropriate to, cancel the registration of the NFIA, including on technical grounds.

However, until such a time as a decision is made by the FWC to cancel the registration of the NFIA, the entity remains registered and is required to meet the obligations of registered organisations under the RO Act, including lodging an Annual Return signed by an officer of the organisation.

As you have advised that all officers of the NFIA vacated on 9 May 2017, the ROC has determined that this Annual Return was not signed by an “officer” of the NFIA. You do not need to do anything further in relation to the Annual Return this year as the ROC notes that the consideration of the registration of the NFIAA and the possible cancellation of the NFIA is currently before the FWC.

Please note that in the event that the FWC approves the registration of the NFIAA as a registered organisation under the RO Act, the NFIAA will need to ensure that its Annual Return is validly signed by a current officer of the organisation.

The ROC’s risk-based approach

Over a five year period the Annual Return of every organisation will be subject to at least one advanced review. An advanced review is a more comprehensive review.

The ROC’s [advanced review checklists](#) are published on our website.

This year your Annual Return was assessed against an advanced review.

Next year’s Annual Return will also be subject to an advanced review.

Do you have questions?

Information and education materials are available on our [website](#). These materials are regularly updated. We recommend you [subscribe to the ROC's subscription service](#).

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au.

Yours sincerely

Registered Organisations Commission

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, Shayne Bennett, being the Secretary/Treasurer of the NATIONAL FIRE INDUSTRY ASSOCIATION, 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 19 Byrnes Road South, JOYNER QLD 4500
 - The organisation has no branches and no branches have ceased or commenced in the previous 12 months
 - On 31 December in the previous year the number of members was **NIL**
 - 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.
 - Under the rules of the organisation, the following elections must be held between 1 January and 31 December of THIS YEAR:¹

No elections are scheduled THIS YEAR.

¹ s.230(1)(d); reg.147(e)

SB
30/3/2010

- The organisation: *[Delete the dot point that does not apply]*
 - Has not entered into an agreement under s.151(1) of the Act with a state union

Signed: **Shayne Bennett**
Secretary/Treasurer



Dated: *30.03.2020*

[PLEASE NOTE: This declaration must be lodged with the Registered Organisations Commission by 31 March. It can be submitted to regorgs@roc.gov.au. If at any time in the year this information changes a Notification of Changes must be lodged with the ROC within 35 days of the change².]

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

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

Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
N/A			

Please Note: This Association is in the process of being voluntarily de-registered, which is being handled by a lawyer who is in communication with Fair Work Commission.

² s.233(2); reg. 151