



30 June 2021

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

Dear Andrew Hickman

The National Fire Industry Association's 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 2021
Matter number AR2021/57
Lodgement date 31 March 2021
Review Primary Review
Result FILED

Your primary review

Your Annual Return had a **primary review** which checked whether it was signed by an officer, lodged on time, the required declarations were made, included the list of offices and office holders and whether you met the requirements that the ROC raised with you last year. A primary review does not examine all the requirements of subsection 233(1).



Your Annual Return satisfied the requirements of the primary review and has been uploaded to the ROC website.

We acknowledge the supplementary information provided by you on 29 June 2021 in relation to the organisation's number of members and the list of officers. We advise that we will be forwarding further correspondence shortly in relation to amended declarations for previous annual returns AR2019/65 and AR2020/58.

The ROC's risk-based approach

This year your Annual Return was assessed against a primary review. A primary review does not check all legislative requirements.

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.

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

Tuesday, 29 June 2021

Bill Steenson
Principal Lawyer, Compliance
Registered Organisations Commission

By Email: bill.steenson@roc.gov.au
CC: sarah.wilkin@roc.gov.au

Dear Mr Steenson

Re: AR2021/57 – Annual Return of the National Fire Industry Association

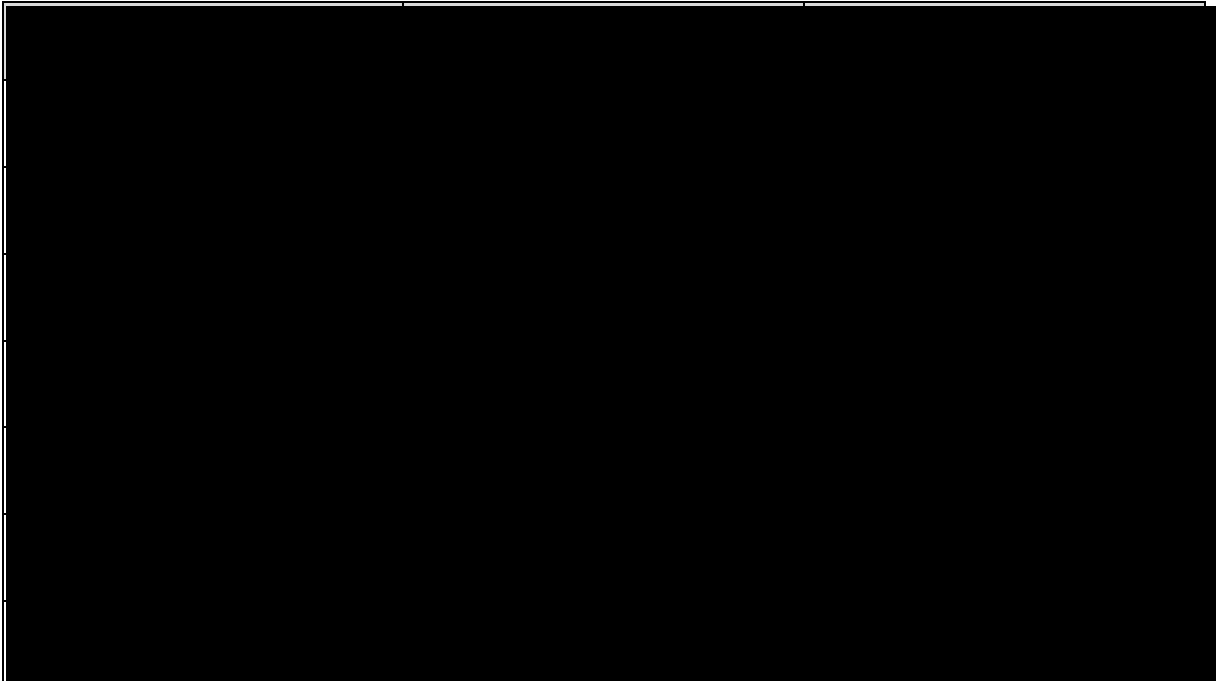
We have received your correspondence of 18 June 2021 regarding the Annual Return of the National Fire Industry Association (**NFIA**), which was lodged with the Registered Organisations Commission (**ROC**) on 31 March 2021, and appreciate the opportunity to respond.

As you are aware, throughout this matter we have engaged openly and frequently with the ROC and we appreciate your ongoing assistance.

Item 1 – Number of Members

We are pleased to confirm that the internal investigation has concluded and that we are able to respond.

To date, those investigations have revealed that the NFIA currently has 7 members. Together, these members have maintained well beyond 50 employees, on average.



We are able to provide further information on request.

In the circumstances, we believe it is appropriate to submit an amended Annual Return reflecting, among other things, the above and propose to do so as soon as possible. Could you kindly please send us the template for an amended return to which you referred in your recent conversation with Robert King of Cornwalls.

Item 2 – Elections

The prescribed information is being lodged with the Commission under separate cover.

As you would be aware, the COVID19 pandemic has caused extreme difficulties for the operation of businesses across Australia and the world throughout 2020 and 2021. We had intended to hold the NFIA's election which was scheduled to take place in 2020 in 2021, as COVID19 precluded the organisation from doing so in 2020. COVID19 had a significant impact on our membership and on our organisation, and we have undergone extensive staff changes since 2019.

Unfortunately, owing to recent lockdowns, particularly those in Victoria, we were unable to commence the process for elections to occur in 2021 in strict compliance with the organisation's rules. We have since commenced this process.

In your emailed letter to the President, Andrew Hickman dated 18 June 2021, you have advised, among other things, that the ROC records "indicate Mr Hickman was last elected Secretary of the organisation in election E 2017/8 6 declared on 17 October 2017".

As previously advised, the current administration is having difficulty with earlier records, but we have the attached Annual Return dated 19 July 2018 which we understand to have been filed with the Commission on or about that date.

Among other things, it records that no election had been scheduled for that year and that Andrew Hickman was at that time the President and Shayne Bennett, the Treasurer/Secretary. Could you please confirm this document has been receipted by the Commission as there appears to be some inconsistency between that document and the records to which you refer in your letter of 18 June 2021.

Whilst we look forward to receipt of your advice in this respect, given this and some of the other matters you have raised in your correspondence of 18 June 2021, it may also be appropriate for the organisation to submit amended Annual Returns for earlier years, following the format of the template to be sent by you.

Item 3 – List of Officers in the Annual Return

Without taking away from our comments above, I understand from various senior officers of the organisation that, among other things, given the resignation since the 2017 election of Stephen Trevor and Jeff Wood, the list of officers in the Annual Return dated 31 March 2021 is, to the best of my knowledge, correct.

Application by the National Fire Industry Association of Australia Ltd for Registration

As you are aware, since 2019 in FWC matter D2019/18, the National Fire Industry Association of Australia Ltd has sought registration with the FWC. This application is inextricably linked with NFIA's intention to deregister preferably contemporaneously with approval of the registration application referred to above. As recently as 11 June 2021, we understand this application to currently be in the hands of the FWC as they are evaluating a draft amended constitution proposal for that entity.

This application has been ongoing for an extensive period of time, owing to complications caused by a complete change of staff undertaking work for both the registered organisation and the one seeking future registration, COVID19 and the complexities of finalising the draft constitution. We look forward to the resolution of this application which, if approved, would undoubtedly lead to the filing of an application to de-register NFIA.

We appreciate your understanding and patience in these matters and look forward to their prompt resolution.

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'A Hickman', written in black ink.

Andrew Hickman
President
National Fire Industry Association



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, Andrew Hickman, being the President 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 5/134 Racecourse Road, Ascot QLD 4007.
 - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.
 - Previous Annual Returns of Information have been filed recording that the number of members of the organisation on 31 December in the previous year was, 'Nil'. We are currently undertaking an examination of the records of the organisation to confirm this and should that investigation establish anything to the contrary, an update will be provided as promptly as reasonably practicable.
 - 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:

No elections are scheduled THIS YEAR
 - The organisation:
 - Has not entered into an agreement under s.151(1) of the Act with a state union.



Signed:

AJ Hickman

Dated: 31 March 2021

ANNEXURE A

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

- Offices and details of the most recently elected Office Holders in the organisation are set out below:

Name of Office (include any offices that are vacant)	Name of Most Recently Elected Office Holder	Postal Address of Office Holder	Occupation of Office Holder
<i>President (Councillor QLD)</i>	<i>Andrew Hickman</i>	<i>FVS Services Group, 69 Commercial Drive Shailer Park QLD 4128</i>	<i>Chief Executive Officer, FVS Services Group</i>
<i>Vice President (Councillor VIC/TAS)</i>	<i>Haysam Mohtadi</i>	<i>Fire Industry Supplies, [REDACTED]</i>	<i>Managing Director, Fire Industry Supplies</i>
<i>Treasurer/ Secretary (Councillor SA)</i>	<i>Shayne Bennett</i>	<i>Australian Fire Services Pty Ltd, 64 Beulah Road, Norwood SA 5067</i>	<i>Director/ Contracts Manager, Australian Fire Services</i>
<i>Councillor QLD</i>	<i>Brian Davies</i>	<i>5/134 Racecourse Road, Ascot QLD 4007</i>	<i>Director, Horace Qld Pty Ltd</i>
<i>Councillor SA</i>	<i>Graham Dunn</i>	<i>Jag Hire & Maintenance, Unit 15/30 Aldershot Road, Lonsdale SA 5160</i>	<i>General Manager, Jag Hire & Maintenance</i>
<i>Councillor WA</i>	<i>Andy Thomas</i>	<i>ARA Fire, 10 Halley Road, Balcatta WA 6021</i>	<i>Sales & Business Development Manager, ARA Fire</i>
<i>Councillor NSW</i>	<i>Gordon Stalley</i>	<i>Premier Fire, 2/3 Gibbes Street, Chatswood NSW 2067</i>	<i>Managing Director, Premier Fire</i>