

1 July 2016

President
National Fire Industry Association
info@nfia.com.au

Dear President,



Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/102] for National Office. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the *Fair Work (Registered organisations) Regulations 2009*).

Holders of office required to undertake approved training

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.

Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the National Fire Industry Association 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].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 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]:³
 - 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.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

- 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

Client: National Fire Industry Association

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2016/102

RULES

Rules used for elections Rule ID: [164V: Incorporates alterations of 07/01/2014
[R2014/277]]
(Replaces rulebook dated 02/01/2014 [R2013/469])

Rules difficult to apply/interpret: None

Model Rule reference (if any):

ROLL OF VOTERS

Total number of voters on the roll N/A

Number of apparent workplace addresses

Number of non-current addresses

Other Matters Nil

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

ATTACHMENTS

A: Uncontested Declaration E2016-102

Lee Jones
Returning Officer
1 July 2016

National Fire Industry Association 2016 Vacancy Election

Declaration of Results for Uncontested Offices

E2016/102

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

Secretary-Treasurer

Candidates

BENNETT, Shayne

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.



Lee Jones
Returning Officer

1 July 2016



Reference: N16/223

Mr. Andrew Hickman
President
National Fire Industry Association

Attention: Wayne Smith
Chief Executive Officer

Via email: wsmith@nfia.com.au

Dear Mr. Hickman

**National Fire Industry Association
Vacancy Election – Secretary/Treasurer
E2016/102**

I have declared Shayne Bennett elected unopposed in the above election. Please advise Mr. Bennett.

The election is now completed.

Please also find the AEC's Post Election Report for the election.

Yours sincerely



Lee Jones
Returning Officer

1 July 2016



DECISION

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

National Fire Industry Association
(E2016/102)

MR ENRIGHT

MELBOURNE, 28 APRIL 2016

Arrangement for conduct of election.

[1] On 10 March 2016 the National Fire Industry Association lodged with the Fair Work Commission the prescribed information in relation to an election for an office, due to insufficient nominations received in a previous election (E2014/151). Amended prescribed information was lodged on 22 April 2016 for an election for the following office:

Secretary/Treasurer

[2] I am satisfied that an election for the abovenamed office 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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PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Andrew Hickman, being the President of the National Fire Industry Association (NFIA) make the following statement:

1. I am resubmitting the application of 7 March 2016 for an election for NFIA with an amended Annexure A Voting System detail.
2. I am authorised to sign this statement containing prescribed information for the National Fire Industry Association.
3. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
4. The elections that are required are set out in the table in Annexure A.
5. As per Rule 16 the Office Bearers are to be elected every 3 years as per Rule 45 Election of Office Bearers
6. No nomination was received for the position of Secretary–Treasurer in the earlier election in 2014 and the declaration of results is attached.
 - a. NFIA did not view the result as requiring a further election, but having now taken advice from the Regulatory Compliance Branch of the Fair Work Commission that an election is required, NFIA now seeks the conduct of an election for this position
 - b. No extension of time request was lodged for this election as NFIA was not aware that a further call for nominations was required..

Signed:



Dated: 15 April 2016

ANNEXURE A - Amended Statement of Prescribed Information to

- Elections that are required [insert as many pages as required]:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
National	Secretary / Treasurer	1	Collegiate	No Nomination received	National Council (rule 45)
...					

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN		to be determined by the returning officer'
Nominations CLOSE		to be determined by the returning officer'
Roll of Voters cut off date		to be determined by the returning officer'