



4 December 2015

Mr Tim Logan  
Senior National Vice President  
Pharmacy Guild of Australia, The  
guild.nat@guild.org.au

Dear Mr Logan,

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

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/166]. 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 Pharmacy Guild of Australia, 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.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Reason for change</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)</b>	<b>Occupation of <u>New</u> Office Holder</b>
<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>
...							

Mr Greg Luckman  
Branch Director  
The Pharmacy Guild of Australia  
PO Box 215  
BATTERY POINT TAS 7004

**Post Election Report For: The Pharmacy Guild of Australia  
Tasmanian Branch  
Election E2015/166 – Alternate National Councillor**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.



Dale Emery  
Returning Officer

5 August 2015



Fair Work (Registered Organisations) Act 2009

## POST ELECTION REPORT

### The Pharmacy Guild of Australia – Tasmanian Branch

#### ELECTIONS COVERED IN THIS REPORT

Election Decision Number: E2015/166

#### RULES

Rules used for the election: 175V: alterations of 25/9/2014 [R2014/4]

Rules difficult to apply/interpret: None

Model Rule reference: N/A

#### ROLL OF VOTERS

As there were no contested offices, no Roll of Voters was required.

#### IRREGULARITIES

No irregularities were identified.

#### ATTACHMENTS

- 1) Declaration of Results for Uncontested Offices – Tasmanian Branch

A handwritten signature in blue ink, appearing to read 'Dale Emery', is positioned above the typed name.

Dale Emery  
Returning Officer

5 August 2015

# The Pharmacy Guild of Australia Alternate National Councillor

## Declaration of Results for Uncontested Offices

**E2015/166**

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.

### Tasmanian Branch

#### Alternate National Councillor

##### Candidates

QUINN, Martin Gary

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



(Dale Emery for) Michael Horwood  
Returning Officer

28 July 2015



## DECISION

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

**The Pharmacy Guild of Australia**  
(E2015/166)

MR ENRIGHT

MELBOURNE, 19 JUNE 2015

*Arrangement for conduct of election.*

[1] On 14 May and 19 June 2015 The Pharmacy Guild of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following office due to insufficient nominations in E2014/87:

**Tasmanian Branch**  
Alternate National Councillor

[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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**The Pharmacy  
Guild of Australia**

Constitution and rules e-file/MH

14 May 2015

General Manager  
Fair Work Commission  
GPO Box 1994  
MELBOURNE VIC 3001

Attention: Eve Anderson  
Mark Elliot  
Elizabeth Mercovich

Dear Madams and Sir

**Re: Conduct for Elections of Alternate National Councillor Position in the TAS Branch**

Please find attached the Declaration required under Section 189(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009 advising of an election to be held to fill the vacancy in the position of Alternate National Councillor in the Tasmanian Branch (1 position).

It would be appreciated if you could arrange for the election to take place.

Yours faithfully

**Timothy John Logan**  
**National Vice President**

CC: G Luckman J Dowling  
D Quilty G Tambassis  
T Allen S Paulissen

**National Secretariat**

Level 2, 15 National Circuit, Barton, ACT 2600 Australia  
PO Box 7036, Canberra Business Centre, ACT 2610 Australia  
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In the matter of the Fair Work (Registered Organisations) Act 2009

AND

In the matter of The Pharmacy Guild of Australia TAS Branch

I, Timothy John Logan of Tim Logan's Nambour Pharmacy Shop 2-3 Nambour Central Mall, Lowe St, NAMBOUR QLD 4560, National Vice President, do solemnly and sincerely declare as follows:

1. I am a National Vice President of The Pharmacy Guild of Australia ('the Guild').
2. Nominations will be required to be called for the following vacancy in the Alternate National Councillor position of The Pharmacy Guild of Australia TAS Branch.
3. The reason for this election is that no nominations were received in the prior election process for the second Alternate National Councillor position (Election Matter no. E2014/87 – see attached).

*Alternate National Councillor*

*1 position*

In accordance with Rule 74 of the Constitution the election will be conducted under a direct voting system and I would be obliged if you arrange for the election to be conducted by the Australian Electoral Commission.

In accordance with Rule 26(ii) of the Constitution, the roll for eligible voters shall close 14 days prior to the day on which nominations for the election will open (that is, 18 May 2015). Suggested dates for the nomination process are set out below:

<b>Nomination</b>	<b>Date Opening</b>	<b>Date Closing</b>
Alternate National Councillor (1)	1 June 2015	15 June 2015

The information above is lodged in accordance with Section 189(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009.

And in accordance with Section 233(2) of the Fair Work (Registered Organisations) Act 2009, I hereby declare that the information contained in this Declaration is true and accurate to the best of my knowledge.

Signed



**Timothy John Logan**  
**National Vice President**  
This 11<sup>th</sup> day of May 2015

**The Pharmacy Guild of Australia  
Tasmanian Branch 2014 - Stage 2**

**Declaration of Results for Contested and Uncontested Offices**

**E2014/87**

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.

**Tasmanian Branch**

Total number of names on the roll of voters	132
Ballot papers issued	132
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>132</b>
Ballot papers / envelopes returned for scrutiny	77
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>76</b>
Percentage of ballot papers returned to number issued	58
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	55

**National Councillor**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
O'MALLEY, Joseph Matthew	35	0
WARD, Glenn	41	0
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	76	0
Formal ballot papers	76	76
Informal ballot papers	0	0

I declare Glenn Ward elected.

**Alternate National Councillor (2)**

Candidates

O'MALLEY, Joseph Matthew  
WARD, Glenn

I declare Joseph Matthew O'Malley elected.  
No other nominations received.

**Branch Vice President (3)**

Candidates

HAMPTON, Jeremy Lewis  
O'MALLEY, Joseph Matthew  
WARD, Glenn

I declare Jeremy Lewis Hampton, Joseph Matthew O'Malley and Glenn Ward elected.

**Branch President/National Councillor/National Vice President**

Candidates

DOWLING, John Christopher

I declare John Christopher Dowling elected.



Dale Emery  
Returning Officer  
Australian Electoral Commission

21 July 2014



**The Pharmacy  
Guild of Australia**

Constitution and rules e-file/MH

18 June 2015

General Manager  
Fair Work Commission  
GPO Box 1994  
MELBOURNE VIC 3001

Attention: Larry Powell

Dear Mr Powell

**Re: Conduct for Elections of Alternate National Councillor Position in the TAS Branch**

Further to my letter dated 15 May 2015 regarding the election of an Alternate National Councillor position in the Tasmanian Branch, please find below further information that you requested on 18 June 2015:

- The potential candidates for the election comprise of members of the Tasmanian Branch Committee, except for the Branch President, National Councillor and existing Alternate National Councillor; and
- Should more than one member of the Tasmanian Branch Committee nominate for the vacant position of Alternate National Councillor, then a ballot shall be conducted with eligible voters being the financial members of the Tasmanian Branch at the date the roll for eligible voters closes.

Yours faithfully

**Timothy John Logan**  
**National Vice President**

**National Secretariat**

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