



1 February 2018

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

Dear Mr Logan,

cc: Executive Director, New South Wales Branch, by email: guild.nat@guild.org.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested for the New South Wales Branch [E2017/224]. 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 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

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 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Declan Clifford
Registered Organisations Commission

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 operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

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)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

The Pharmacy Guild of Australia
New South Wales Branch - Vacancy Election- E2017/224
Alternate National Councillor

Declaration of Results for Uncontested Offices

E2017/224

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.

NSW Branch

Alternate National Councillor (1)

Candidates

Caroline DIAMANTIS

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



Noopur Madan
Returning Officer

8 January 2018

19 January 2018

Post-election Report

**Pharmacy Guild of Australia – New South Wales
Branch – Vacancy Election E2017/224**

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Election(s) Covered in this Report

Election Decision No/s: E2017/224

Rules

Rules used for the election: (175V: Incorporates alterations of 06/02/2017 [2016/318])
(replaces 25/09/2014 [R2014/4] version)

Rules difficult to apply/interpret:

Refer to the post-election report for E2017/19. A response from PGA was received by the AEC on 2 November 2017, which if applied would address the rules identified as difficult to apply and interpret.

Model Rule reference (if any) (N/A)

Roll of Voters

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

Irregularities

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

Other irregularities identified, and action taken: N/A

Other Matters

1. PGA's response (as referred to above) did not address the *Other Matters* identified in post-election report E2017/19. It is strongly recommended that PGA review the rules with these matters in consideration for future elections. These rules are costly and inefficient.

Attachments

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



Noopur Madan
Returning Officer

19 January 2018



DECISION

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

Pharmacy Guild of Australia
(E2017/224)

MR ENRIGHT

MELBOURNE, 20 NOVEMBER 2017

Arrangement for conduct of election.

[1] On 24 October 2017 the Pharmacy Guild of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

New South Wales

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 COMMISSIONER

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The Pharmacy
Guild of Australia

24 October 2017

Commissioner
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

Dear Commissioner

Re: Conduct for Election due to Vacant Position in the NSW 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 a vacancy in the position of Alternate National Councillor in the NSW Branch.

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

Yours faithfully

Timothy John Logan
National Vice President

CC: C Argent D Heffernan
G Tambassis D Quilty
T Allen S Paulissen



National Secretariat

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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 NSW 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 vacancy in the position of Alternate National Councillor (1 position) of The Pharmacy Guild of Australia NSW Branch.
3. The reason for this election was that Catherine Bronger (Pharmacist) was declared elected to the positions of National Councillor and Alternate National Councillor (E2017/19) and subsequently resigned from the position of Alternate National Councillor at the Branch Annual General Meeting held on 19 October 2017.

In accordance with the Guild's 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.

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. Suggested dates for the nomination process are set out below:

Position	Date of Roll Closure	Nomination Opening Date	Nomination Closing Date
Alternate National Councillor (1) *	6 Nov 2017	20 Nov 2017	4 Dec 2017

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*.

I hereby declare that the information contained in this Declaration is true and accurate to the best of my knowledge.

Signed

A handwritten signature in black ink, appearing to read 'T. Logan', with a long horizontal flourish extending to the right.

Timothy John Logan
National Vice President
This 24th day of October 2017