



FairWork
Commission

6 April 2016

Mr Mark Scanlon
President
Restaurant & Catering Industrial
Email: info@restaurantcater.asn.au

Dear Mr Scanlon

Annual Return of Information for 2016 [AR2016/84]

I acknowledge receipt on 8 March 2016 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The documents lodged cover the required information for the 2016 Annual Return of Information of Restaurant & Catering Industrial.

The documents have been filed and can be viewed on the Fair Work Commission website through the List of Registered Organisations - <http://www.fwc.gov.au/index.cfm?pagename=regorgslist>

Yours sincerely

Margaret Williams
Regulatory Compliance Branch



18 March 2016

Mr Matteo Pignatelli
President
Restaurant & Catering Industrial
Email: restncat@restaurantcater.asn.au

Dear Mr Pignatelli,

Notification of changes made to records [AR2015/89]

I acknowledge receipt of a Notification of Change to the office holders of the Restaurant & Catering Industrial .

This information was lodged with the Fair Work Commission (the Commission) in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act). The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly.

The document can be viewed on the Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Change
1 March 2016	President, Vice Presidents and Executive Councillor

Please note that the RO Act requires that a notification of change must be lodged within 35 days of the change occurring. The notification indicates that changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Please also note that the Director is not an office as defined in the *Fair Work Act 2009* or Rule 12 of the organisation's Rules. It is therefore not necessary to include the Director in the Declaration, however we thank you for the advice.

Thank you for the notification.

Yours sincerely,

Margaret Williams
Regulatory Compliance Branch

11 Exhibition Street
Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone: (03) 8656 4695
Email: orgs@fwc.gov.au
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RESTAURANT & CATERING INDUSTRIAL

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, Mark Scanlan, being the President of Restaurant & Catering Industrial 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 s230(1)(b),(c.) and (d) of the *Fair Work (Registered Organisations) Act 2009*:

Date of Change	Name of Office that has changed	Name of Outgoing Office Holder	Reason for Change	Name and address of New Office Holder	Occupation of New office Holder
1.3.16	Director	Vacant	Appointed by Executive Council under Rule 13(c.)	Mr John Hart Level 3, 154 Pacific Highway, St Leonards NSW 2065	CEO
10.2.16	President	Matteo Pignatelli	Scheduled Election	Mark Scanlan Level 3, 154 Pacific Highway, St Leonards NSW 2065	Restaurateur
10.2.16	Vice President	Mark Scanlon	Scheduled Election	Matteo Pignatelli Level 3, 154 Pacific Highway, St Leonards NSW 2065	Restaurateur
10.2.16	Vice President	Vacant	Scheduled Election	Mark Seery Level 3, 154 Pacific Highway, St Leonards NSW 2065	Restaurateur
15.1.16	Executive Councillor	Jai Devinder Singh Anand Level 3, 154 Pacific Highway, St Leonards NSW 2065	Scheduled Election	Brien Trippas Level 3, 154 Pacific Highway, St Leonards NSW 2065	Caterer

3. In accordance with the financial exemption certificate in Annexure A no officer of Restaurant & Catering Industrial has financial management duties as required by Section 154 (D) of the *Fair Work (Registered Organisations) Act 2009*.

Signed: Mark Scanlan, President

Dated: _____



 01/03/16



Restaurant
& Catering



2 March 2016

Ms Bernadette O'Neill
General Manager
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By Email orgs@fwc.gov.au

Dear Ms O'Neill

ANNUAL RETURN

Please find attached Declaration from the President of Restaurant & Catering Industrial in respect to the Annual Return of Information as required under the Fair Work (Registered Organisations) Act 2009.

Should you require any further information please contact the undersigned.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Hart', written over a horizontal line.

John Hart
Director

RESTAURANT & CATERING INDUSTRIAL
A8N 31 739 604 819

Level 3, 154 Pacific Highway St Leonards NSW 2065
T: 1300 722 878 F: 1300 722 396

restncat@restaurantcater.asn.au www.restaurantcater.asn.au

RESTAURANT & CATERING INDUSTRIAL

Annual Return of Information – 2015

Certified Declaration by the Secretary or Other Prescribed Officer of the Registration and Accountability of Organisations Schedule

I, Mark Scanlan, being the President of Restaurant & Catering Industrial declare that the following information is true and accurate in respect to the Association:

1. The Association has throughout the financial year immediately preceding this statement, kept and maintained its register of members in accordance with the Fair Work (Registered Organisations) Act 2009.
2. The following copy of the records is a correct statement of information contained in those Associations records.
3. The officers in the organisation for the immediate past calendar year were:
 - President
 - Vice President x 2
 - Treasurer

4. The names, postal addresses and occupations of the persons holding the offices:

Office	Name and Address	Occupation
President	Matteo Pignatelli Level 3, 154 Pacific Highway, St Leonards NSW 2065	Restaurateur
Vice President	Mark Scanlon Level 3, 154 Pacific Highway, St Leonards NSW 2065	Restaurateur
Vice President	Vacant	
Treasurer	Vacant	
Director	Vacant	
Executive Councillor	Jai Devinder Singh Anand Level 3, 154 Pacific Highway, St Leonards NSW 2065	Restaurateur

The address of the office of the organisation during the last financial was:

Level 3, 154 Pacific Highway, St Leonards NSW 2065
Phone: 1300 722 878
Fax: 1300 722 396
E-mail: info@restaurantcater.asn.au

No new office or branches have been established during the reporting period.

Elections were conducted in 2015 for 3 year terms of the offices of Executive Councillors (4) and then collegiate election of President, Vice President (2) and Treasurer.

No election is scheduled to occur at the Annual General Meeting of Restaurant & Catering Industrial in 2016.

5. In accordance with section 230(1)(a) and 203(2) of the Act, membership records were kept and maintained during the immediately preceding calendar year. The number of members of the Association was 3050 as at 31 December 2015.

For further information please contact John Hart on (02) 9966 0055 or email at jhart@restaurantcater.asn.au.

Signed: Mark Scanlan, President

Dated: _____

01/03/16





10 February 2016

Mr Matteo Pignatelli
President
Restaurant & Catering Industrial

By email: info@restaurantcater.asn.au

Dear Mr Pignatelli,

**Restaurant & Catering Industrial
Annual Return of Information for 2016 [AR2016/84]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2016 in respect of the Restaurant & Catering Industrial by **31 March 2016**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* (the RO Act) must be lodged with the Fair Work Commission (the Commission) by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. Further, you are reminded that the Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records that may occur throughout the year.

As previously advised, section 233 places the onus of lodgement on the organisation and not on each individual branch. It is therefore the national body that is obliged to collate and lodge all of the required information. Annual Return templates are available on the Commission website at [Registered Organisations fact sheets](#), one for an [organisation with branches](#) and one for an [organisation without branches](#).

Once an Annual Return has been lodged, a copy will be posted on our website at [List of Registered Organisations](#). Therefore, to protect the privacy of the relevant office holders listed in the declarations, it is recommended that officers list their official mailing address rather than personal home address.

We encourage you to lodge all returns electronically (e.g. as a pdf file) at orgs@fwc.gov.au. Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act. Finally, in maintaining the register of members, your attention is drawn to the circumstances where membership ceases to exist (s.230(2)(b) and s.171A of the RO Act).

Please do not hesitate to contact the Commission by phone on (03) 8661 7777 or by e-mail at orgs@fwc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Anastasia Kyriakidis
Assistant Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

A copy of each of the following records must be lodged with the Fair Work Commission (the Commission) between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] Note: In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of office and officer in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of office and officer in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] Note: this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the offices, officeholders, branches (where relevant) or the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with the Commission, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s.233(2) and RO Regulations r.151 refer].