



4 June 2018

Mr Mark Scanlan  
President  
Restaurant & Catering Industrial  
[info@restaurantcater.asn.au](mailto:info@restaurantcater.asn.au)

Dear Mr Scanlan,

**Declaration and information lodged under subsection 233(1) [Annual Return] for 2018 [AR2018/85]**

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 27 March 2018 of your organisation's Annual Return which provides information under subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

Thank you for providing your Annual Return.

The documents lodged provide most of the required information for the 2018 Annual Return of the Restaurant & Catering Industrial.

The Annual Return has been filed and no further action is required. Annual Returns are publicly available on the website through the [List of Registered Organisations](#).

The ROC aims to help organisations comply with all the requirements of subsection 233(1) of the RO Act. I make the following comments to assist with future lodgements.

**Elections**

The Annual Return is required to include information on elections that are to occur during the 2018 calendar year. The Annual Return provided information on a number of offices that need to be elected, however it only lists one executive councillor. Our records indicate that the organisation will require four executive councillors in its 2018 elections. Please ensure that the complete information relating to elections required during the calendar year is supplied in next year's Annual Return.

The ROC will examine next year's Annual Return to confirm that the matters giving rise to these concerns are not repeated. In order to assist organisations to fully comply with the requirements of subsection 233(1) of the RO Act a template Annual Return is available on the [fact-sheets](#) page of our website. Restaurant & Catering Industrial is encouraged to use this template.

While no further action is required in relation to this Annual Return, failure to lodge complete information can attract further compliance action, including the prospect of Federal Court proceedings seeking penalties. Please ensure Restaurant & Catering Industrial has the full list of required elections in next year's Annual Return.

## **Notifications of Change**

Any changes to these records must be notified to the ROC within 35 days of the change. A template Notification of Change Declaration is available on the [fact-sheets](#) page of our website. Restaurant & Catering Industrial is encouraged to use this template if any changes occur.

If you have any queries regarding this correspondence I can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

Yours faithfully

**Catherine Bebbington**  
**Registered Organisations Commission**

**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, Mark Scanlan, being the President of the RESTAURANT AND CATERING INDUSTRIAL, 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 **Level 3, 154 Pacific Highway, St Leonards, NSW, 2065.**<sup>1</sup>
  - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.<sup>2</sup>
  - On 31 December in the previous year the number of members was 2690.<sup>3</sup>
  - 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.

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a), (b), (c) & (d)

<sup>3</sup> s.230(1)(d); reg.147(f)

- Under the rules of the organisation, the following elections must be held between 1 January and 31 December of 2018:<sup>4</sup>

President (1)  
Vice Presidents (2)  
Executive Councillor (1)  
Treasurer (1)

- The organisation:
  - Has not entered into an agreement under s.151(1) of the Act with a state union.



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Signed: **Mark Scanlan, PRESIDENT**

Dated:

*[PLEASE NOTE: This declaration must be lodged with the Fair Work Commission by 31 March. It can be submitted to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). If at any time in the year this information changes a Notification of Changes must be lodged with the Commission within 35 days of the change<sup>5</sup>.]*

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<sup>4</sup> s.230(1)(d); reg.147(e)

<sup>5</sup> s.233(2); reg. 151

## ANNEXURE A

- Offices and Office Holders in the Organisation:

<b>Name of Office (include any offices that are vacant)</b>	<b>Name of Office Holder</b>	<b>Postal Address of Office Holder</b>	<b>Occupation of Office Holder</b>
<i>President</i>	<i>Mark Scanlan</i>	<i>c/- Restaurant &amp; Catering Australia, Level 3, 154 Pacific Highway, St Leonards, NSW, 2026</i>	<i>Restaurateur</i>
<i>Vice President</i>	<i>Matteo Pignatelli</i>	<i>c/- Restaurant &amp; Catering Australia, Level 3, 154 Pacific Highway, St Leonards, NSW, 2026</i>	<i>Restaurateur</i>
<i>Vice President</i>	<i>Mark Seery</i>	<i>c/- Restaurant &amp; Catering Australia, Level 3, 154 Pacific Highway, St Leonards, NSW, 2026</i>	<i>Restaurateur</i>
<i>Executive Councillor</i>	<i>Brien Trippas</i>	<i>c/- Restaurant &amp; Catering Australia, Level 3, 154 Pacific Highway, St Leonards, NSW, 2026</i>	<i>Restaurateur</i>
<i>Treasurer</i>	<i>Vacant</i>	<i>NA</i>	<i>NA</i>



**Mark Scanlan, President**  
**Restaurant and Catering Industrial**