



FAIR WORK
COMMISSION

18 March 2013

Mr Jason Letchford
Secretary/Treasurer
Shearing Contractors' Association of Australia
PO Box 1143
MANLY NSW 1655

By email: scaa@scaa.org.au

Dear Mr Letchford

Financial report for the year ended 30 November 2011 (FR2011/2822)

Annual return of information for 2012 and 2013 (AR2012/359; AR2013/259)

I acknowledge receipt of your email dated 14 March 2013 in relation to the above matters.

In your email you confirmed that you expect that a copy of the financial report for the year ended 30 November 2011 would be presented to a meeting of the Committee of Management on 17 May 2013, and that the full report would be lodged with the Fair Work Commission (FWC) after the meeting.

In your email you also lodged an amended annual return of information for 2013, and an annual return of information for 2012. The documents provided information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* and cover the required information for the 2012 and 2013 annual returns of the Shearing Contractors' Association of Australia (the Association).

The documents have now been filed. The documents will be placed on a website maintained by the Fair Work Commission at <http://www.e-airc.gov.au/056N/>

In my letter of 7 March 2013 I made comments to assist the Association with ensuring that the 2012 annual return of information was fully compliant with the RO Act. However, the annual return of information lodged for 2012 did not incorporate the requested changes. The Association is requested to read the following information carefully to ensure that all future annual returns of information comply fully with the requirements of the RO Act.

Paragraph 233(1)(a) of the RO Act provides that an organisation must lodge a declaration certifying that the register of its members has, during the immediately preceding calendar year, been kept and maintained as required by paragraph 230(1)(a) and subsection 230(2) of the RO Act.

In the annual return of information for 2013, the abovementioned information was included in the attachment to the declaration, rather than the declaration itself. Further, the wording used was not strictly in compliance with that used in the RO Act, as it referred to the RO Act generally, rather than the specific sections.

For all future annual returns of information, please ensure the abovementioned statement complies with the wording set out in the RO Act, and is included in the declaration.

Should you have any queries, please contact me via email at ingrid.fraser@fwc.gov.au or by telephone on (03) 8661 7944.

Yours sincerely,

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

Ingrid Fraser
Regulatory Compliance Branch
Fair Work Commission

SHEARING CONTRACTORS' ASSOCIATION OF AUSTRALIA

Declaration

I, JASON KER LETCHFORD, of [REDACTED] in the State of New South Wales, declare that:

1. I am the Secretary/Treasurer of the Shearing Contractors Association of Australia, an Organisation of members duly registered pursuant to the Fair Work (Registered Organisations) Act 2009.
2. I am authorised to make this Declaration on behalf of the Association.
3. The information supplied in (1), (2), (3), (4), (5), and (6) of the attached document are true and correct statements of fact.



Jason Letchford
Secretary/Treasurer

Dated: 14 March 2013

1. REGISTER OF MEMBERS

There has been maintained during the year of 2012 a register of members of the Shearing Contractors Association of Australia as required by the Fair Work (Registered Organisations) Act 2009.

2. OFFICES

The Offices of the Shearing Contractors Association of Australia are:

President	1
Vice-President	2
Secretary/Treasurer	1
Trustees	2

3. PERSONS HOLDING OFFICE

The names, postal addresses and occupations of persons holding office in the Shearing Contractors Association of Australia are as follows:

Committee of Management

Name	Position Held	Occupation	Address
Michael Schofield	President	Shearing Contractor	PO Box 1143 MANLY NSW 1655
Warren Kimber	Vice President	Shearing Contractor	PO Box 1143 MANLY NSW 1655
David Kemp	Vice President	Shearing Contractor	PO Box 1143 MANLY NSW 1655
Jason Letchford	Secretary / Treasurer	Financial Controller	PO Box 1143 MANLY NSW 1655
Frank Sutherland	Trustee	Shearing Contractor	PO Box 1143 MANLY NSW 1655
Ivan Letchford	Trustee	Retired Contractor	PO Box 1143 MANLY NSW 1655

4. LIST OF BRANCHES

There are no branches of the organisation.

NEW BRANCHES

There are no new branches that commenced operation in the previous 12 months

OLD BRANCHES

There are no branches that ceased operation in the previous 12 months

ADDRESS OF THE SHEARING CONTRACTORS ASSOCIATION OF AUSTRALIA:

PO Box 1143, Manly, NSW 1655

Ph: 0412 600 586

Fax: 02 9400 9083

email: scaa@scaa.org.au

5. ELECTIONS

Management Committee

Elections are required to be held annually, with nominations being closed at a date not less than two months before the Annual General Meeting.

Office Bearers

Elections are required to be held annually at the first meeting of the Management Committee held immediately following the declaration of the results of the annual election of members of the Management Committee.

6. MEMBERSHIP

As at **31 December 2012**, there were 191 members of the Shearing Contractors Association of Australia.



FAIR WORK
COMMISSION

7 March 2013

Mr Jason Letchford
Secretary/Treasurer
Shearing Contractors' Association of Australia
PO Box 1143
MANLY NSW 1655

By email: scaa@scaa.org.au

Dear Mr Letchford

Financial report for the year ended 30 November 2011 (FR2011/2822)

Annual return of information for 2012 and 2013 (AR2012/359; AR2013/259)

I acknowledge receipt of your four emails dated 5 March 2013 in response to my letter dated 30 January 2013 regarding the above matters. I make the following comments in relation to those emails.

Financial report for the year ended 30 November 2011

In your email of 5 March 2013 you provided an update as to the progress of the financial report of the Shearing Contractors' Association of Australia (the Association) for the year ended 30 November 2011, and attached a copy of the full report. You advised that a copy of the full report would be provided to members on 6 March 2013, and that the full report would be presented to a meeting of the Committee of Management on 17 May 2013.

Please note that the Association is required to lodge a copy of the full report, and a Designated Officer's Certificate with the Fair Work Commission within 14 days after the meeting, pursuant section 268 of the *Fair Work (Registered Organisations) Act 2009* (RO Act).

If the Committee of Management meeting proceedings on 17 May 2013 the Association is required to lodge the abovementioned information with the Fair Work Commission by 31 May 2013.

Annual return of information - clarification of year

In my letter of 30 January 2013 I requested that the Association lodge its annual return of information for **2012**. In your email of 5 March 2013 you noted that the annual return of information for 2011 has been lodged and filed with Fair Work Australia (as it was then known). I confirm that this is correct and that no further action is required in relation to the annual return of information for 2011.

In another email of 5 March 2013 you attached a document entitled 'Annual Return of Information for 2012'. The annual return of information is required to refer to information regarding the year preceding that calendar year, that is, 2011. However, the information provided related to 2012. I confirm that in our telephone conversation this morning you advised that the Fair Work Commission could accept the information provided as the Association's annual return of information for 2013.

However, further action is required before the annual return of information can be filed. Regulation 147 of the *Fair Work (Registered Organisations) Regulations 2009* (RO Regs) provides that the annual return of information must specify the number of members of the Association as at 31 December in the previous year. The Association's annual return of information disclosed the number of members as at 30 November 2012.

The Association is requested to disclose the number of members of the Association as at 31 December 2012, by way of declaration and lodge the declaration with the Fair Work Commission as soon as possible.

Annual return of information - 2012

As the document lodged appears to be annual return of information for 2013, the Association is requested to lodge its annual return of information for 2012. Note that the information provided must refer to information regarding the year preceding that calendar year, that is, 2011.

While the Fair Work Commission will file the annual return of information for 2013 provided that the abovementioned declaration is lodged, I make the following comments to assist with ensuring that the annual return of information for 2012 is fully compliant with the RO Act.

Paragraph 233(1)(a) of the RO Act provides that an organisation must lodge a declaration certifying that the register of its members has, during the immediately preceding calendar year, been kept and maintained as required by paragraph 230(1)(a) and subsection 230(2) of the RO Act.

In the annual return of information for 2013, the abovementioned information was included in the attachment to the declaration, rather than the declaration itself. Further, the wording used was not strictly in compliance with that used in the RO Act, as it referred to the RO Act generally, rather than the specific sections.

For the annual return of information for 2012 and for all future annual returns of information, please ensure the abovementioned statement complies with the wording set out in the RO Act, and is included in the declaration.

Summary of action requested

As soon as practicable, the Association is requested to:

- Lodge its financial report for the year ended 30 November 2011 within 14 days after it is presented to the Committee of Management meeting. If the meeting does not go ahead on 17 May 2013 as expected, advise the Fair Work Commission as soon as possible.
- In relation to the annual return of information for 2013, lodge a declaration disclosing the number of members of the Association as at 31 December 2012.
- Lodge an annual return of information for 2012.

Should you have any queries, please contact me via email at ingrid.fraser@fwc.gov.au or by telephone on (03) 8661 7944.

Yours sincerely,



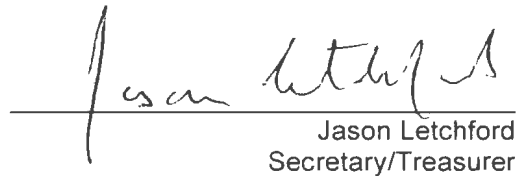
Ingrid Fraser
Regulatory Compliance Branch
Fair Work Commission

SHEARING CONTRACTORS' ASSOCIATION OF AUSTRALIA

Declaration

I, JASON KER LETCHFORD, of [REDACTED], in the State of New South Wales, declare that:

1. I am the Secretary/Treasurer of the Shearing Contractors Association of Australia, an Organisation of members duly registered pursuant to the Fair Work (Registered Organisations) Act 2009.
2. I am authorised to make this Declaration on behalf of the Association.
3. The information supplied in (1), (2), (3), (4), (5), and (6) of the attached document are true and correct statements of fact.



Jason Letchford
Secretary/Treasurer

Dated: 5 MARCH 2013

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