



23 June 2016

Mr Jason Letchford
Secretary
Shearing Contractors' Association of Australia, The
scaa@scaa.org.au

Dear Mr Letchford,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2015/289]. 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 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 Shearing Contractors' Association 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].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/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.]

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)

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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<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>
...							



Our Ref: N16/27

Mr Jason Letchford
Secretary
The Shearing Contractors' Association of Australia

Dear Mr Letchford

**Post-Election Report For: The Shearing Contractors' Association of Australia
Scheduled Elections – E2015/289 – Stages 1 & 2**

I refer to the above election for your organisation.

Section 197(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 Delegate of the General Manager, Fair Work Commission 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 the Act 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 (Registered Organisations) Regulations 2009 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.



Marie Malfitana
Returning Officer

10 May 2016

Fair Work (Registered Organisations) Act 2009**POST ELECTION REPORT****Client:** The Shearing Contractors' Association of Australia**Contact details:** Jason Letchford
Secretary
PO Box 1143
Manly NSW 1655**Email:** Jason@scaa.org.au**AIR contact officer:** Patti Ladd**Email:** orgs@fwc.gov.au**ELECTIONS COVERED IN THIS REPORT****Election Decision No/s:** E2015/289**RULES****Rules used for elections Rule ID:** [056N: Incorporates alterations of 23/4/2004
(R2004/231)]**Rules difficult to apply/interpret:** N/A**Model Rule reference (if any):****ROLL OF VOTERS – Stage 1 - Committee of Management Members**

Total number of voters on the Roll:	175	
Number of apparent workplace addresses:	175	100%
Number of non-current addresses:	0	0%

ROLL OF VOTERS – Stage 2 - Office Bearers

As stage 2 was not contested, the roll of voters was not required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: NIL

Other irregularities identified, and action taken: NIL

ATTACHMENTS**A:** Declaration of Results for Contested Offices - Stage 1**B:** Declaration of Results for Uncontested Offices - Stage 2Marie Malfitana
Returning Officer
10 May 2016

The Shearing Contractors' Association of Australia Committee of Management Members 2016

Declaration of Results for Contested Offices

E2015/289

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.

The Shearing Contractors' Association of Australia

Total number of names on the roll of voters	175
Ballot papers issued	175
Replacement ballot papers issued	0
Total Ballot Papers Issued	175
Ballot papers / envelopes returned for scrutiny	41
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	41
Percentage of ballot papers returned to number issued	23%
Ballot papers returned as unclaimed mail	2
Ballot papers not returned	132

Committee of Management Members (12)

<u>Candidates</u>	<u>Final Votes</u>
SCHOFIELD, Michael	164
KIMBER, Warren John	228
CANTY, Noel	247
KEMP, David	355
MORRISON, Andrew	325
KING, Trevor W	256
RIGBY, Steven	279
LETCHFORD, Jason	119
SUTHERLAND, Frank	253
TIPPET, Jamie	320
HALES, Bryan R H	395
MUNROE, Lincoln	363
RAUDINO, Damian	427
Total votes	3731
Formal ballot papers	41
Informal ballot papers	0

I declare Noel Canty , Bryan R H Hales , David Kemp , Warren John Kimber , Trevor W King , Jason Letchford , Andrew Morrison , Lincoln Munroe , Steven Rigby , Michael Schofield , Frank Sutherland and Jamie Tippet elected.



Marie Malfitana
Returning Officer
Australian Electoral Commission

26 April 2016

The Shearing Contractors' Association of Australia Office Bearers - Committee of Management 2016

Declaration of Results for Uncontested Offices

E2015/289

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.

Committee of Management

President

Candidates

SCHOFIELD, Michael

Vice-President (2)

Candidates

CANTY, Noel
KIMBER, Warren

Secretary/Treasurer

Candidates

LETCHFORD, Jason

Trustees (2)

Candidates

KING, Trevor
RIGBY, Steven

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



Marie Malfitana
Returning Officer

6 May 2016



DECISION

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

The Shearing Contractors' Association of Australia (E2015/289)

MS O'NEILL

MELBOURNE, 14 JANUARY 2016

Arrangement for conduct of election.

[1] On 17 December 2015 the Shearing Contractors' Association of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Committee of Management (12)

President
Vice President (2)
Trustees (2)
Secretary-Treasurer

[2] I am satisfied that an election for the abovenamed offices 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.



GENERAL MANAGER

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December 17, 2015

Fairwork Australia
Tribunal Services and Organisations
NSW

Dear Sir/Madam

**Request application for a Section 189
Fairwork (Registered Organisations) Act 2009**

For subsection 189 (1) of the Fairwork (Registered Organisations) Act 2009, the following information is prescribed information for an election conducted for an office or for a position other than an office

1. The offices in which an election is required are:
Committee of Management members consisting of 12 persons.

From those elected to the Committee of Management, those persons will then elect:

- 1x President
 - 2 x Vice President
 - 2 x Trustees
 - 1 x Secretary-Treasurer
2. The reason for the election is:
 - the term of the office or position has expired
 3. The kind of voting system to be used in the conduct of the election is:
 - DVS for Committee of Management, and
 - Collegiate electoral system for Officers.
 4. The dates and times for the nominations open and close are as provided in Rule 26 and Rule 26A. The AGM is to be held on 5th May 2016.
The closing date for nominations is two months prior to the AGM, or 5 March 2016.
Nominations should be called for the election of the Management Committee from the financial members of the Association by notice posted to them not less than fourteen days before the closing date for nominations, or 14 February 2016.

5. Roll of voters

The ballot to be conducted under rule 26 the day on which the roll of voters is to be closed, shall be on the fourteenth day prior to the opening of nominations.

Declaration:

I Jason Letchford, Secretary of The Shearing Contractors Association of Australia (SCAA), am authorised to sign this statement which is lodged in accordance with Section 189(1) of the Fairwork (Registered Organisations) Act 2009.



Signed:
Jason Letchford
Secretary/Treasurer