



10 June 2016

Mr Christopher Gazenbeek
Secretary
Shop, Distributive and Allied Employees Association-Queensland Branch
secretary@sdaq.asn.au

Dear Mr Gazenbeek,

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 [E2016/66]. 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 Shop, Distributive and Allied Employees Association-Queensland Branch 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>
...							



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Shop, Distributive and Allied Employees Association
Queensland Branch

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2016/66

RULES

Rules used for elections Rule ID:

[006N: Incorporates alterations of 05/02/2014]
[R2013/453]
(replaces 01/01/2014 (R2013/52) version)

006N-QLD: Incorporates alterations of 2 May 2016
[R2016/71]
(Replaces alterations of 20 April 2016 [R2016/23])

Rules difficult to apply/interpret: None

Model Rule reference (if any):

ROLL OF VOTERS

Total number of voters on the roll N/A

Number of apparent workplace addresses

Number of non-current addresses

Other Matters Nil

ALLEGATIONS OF IRREGULARITIES RECEIVED

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

Other irregularities identified, and action taken: None

ATTACHMENTS

A: Uncontested Declaration E2016-66

Lee Jones
Returning Officer
6 June 2016

Shop, Distributive and Allied Employees Association

Queensland Branch - Scheduled Election

Declaration of Results for Uncontested Offices

E2016/66

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.

Assistant Secretary

Candidates

POWER, Justin Warwick

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



Lee Jones
Returning Officer
6 June 2016



DECISION

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

Shop, Distributive and Allied Employees Association (E2016/66)

MR ENRIGHT

MELBOURNE, 22 APRIL 2016

Arrangement for conduct of election.

[1] On 17 March 2016 the Queensland Branch of the Shop, Distributive and Allied Employees Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following office:

Assistant Secretary (1)

[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 GENERAL MANAGER

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**SHOP, DISTRIBUTIVE & ALLIED EMPLOYEES' ASSOCIATION
QLD BRANCH**

A.B.N. 53 585 943 107

SDA House - 385 St Pauls Terrace, Fortitude Valley, Qld. 4006

PO Box 490, Spring Hill, Qld, 4004

T: 3833 9500 | Free: 1800 657 141 (Regional) | F: 3833 9590

E: secretary@sdaq.asn.au | W: www.sdaq.asn.au

17 March 2016

The General Manager
Fair Work Commission
GPO Box 1994
MELBOURNE VIC. 3001

Dear Sir/Madam,

**Re: S.D.A. (Queensland Branch) Election
Assistant Secretary**

Please find enclosed the statement required by the Fair Work (Registered Organisations) Act 2009 in respect of an election to be conducted for the Shop Distributive & Allied Employees Association (Queensland Branch) in 2016.

I trust this meets with your requirements.

Yours faithfully

Chris Gazenbeek
SECRETARY

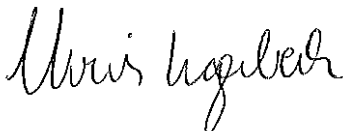
STATEMENT BY BRANCH SECRETARY

1. I, Christopher John Gazenbeek, am the Branch Secretary of the Shop, Distributive and Allied Employees Association (Queensland Branch).
2. In accordance with sub-rule (b) of Rule 15 ELECTION OF OFFICERS and elections for certain positions within the Branch are due to be held this year.
3. In accordance with regulation 138, I supply the following information:-
 - (a) Name of the offices for which an election is required:-
Assistant Secretary
 - (b) Reason for election:-
The term of office will expire in accordance with the Rules.
 - (d) Office and Electorate:-

OFFICE	ELECTORATE
Assistant Secretary	Whole Electorate

- (e) In respect of the election to be conducted under sub-rule (b) of Rule 15 ELECTION OF OFFICERS and nominations shall open not earlier than the first Monday of May and close not later than 12.00 noon on the fourth Friday of May.
- (f) The voting system is by postal ballot of members.

DATED: This 17th day of March 2016.



Chris Gazenbeek
BRANCH SECRETARY


I, Christopher John Gazenbeek being the Secretary of the Shop Distributive and Allied Employees Association (Qld. Branch), make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Queensland Branch of the Shop Distributive and Allied Employees Association (Qld. Branch).
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS NOT** lodged at least 2 months before nominations open for the election below. The reason it is lodged after the prescribed time is:

Following unanimous endorsement from members of the State Council on February 17th 2016 of proposed rules amendments, we lodged an application of "Notice of Particulars of Rule Alterations" on 22 February 2016 to the Fair Work Commission.

On the 9th March 2016 we received correspondence via email from Anastasia Kyriakidis from the Regulatory Compliance Branch to advise that our application for a rule alteration had been received and the matter had been allocated to Sarah Wilkin of the Regulatory Compliance Branch to be processed as soon as possible.

On the 15th March 2016 we were notified by Sarah Wilkin from the Regulatory Compliance Branch via telephone to proceed and lodge the prescribed information as soon as possible.

Signed: 

Dated: 17th March 2016.

ANNEXURE A

- Elections that are required *[insert as many pages as required]*:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
<i>Queensland</i>	<i>Assistant Secretary</i>	<i>1</i>	<i>Collegiate</i>	<i>Scheduled</i>	<i>Whole Electorate</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>May Rule 15 (bb)(i)</i>	
Nominations CLOSE	<i>28 days after noms open (Rule 15)</i>	
Roll of Voters cut off date	<i>21 April.(Rule 15(e))</i>	