



16 March 2018

Mr Michael Donovan  
Secretary/Treasurer  
Shop, Distributive and Allied Employees Association-Victorian Branch

Dear Mr Donovan,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for Shop, Distributive and Allied Employees Association-Victorian Branch [E2017/197]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### **A notice must be published on the organisation's website**

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### **Holders of office required to undertake approved training**

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

#### **Organisation must notify the Commission of changes**

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-Victorian 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

**Declan Clifford**  
**Registered Organisations Commission**

**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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*

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

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

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

**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.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

# Shop, Distributive and Allied Employees Association

## Victorian Branch

### DECLARATION OF RESULTS - E2017/197

#### Uncontested Offices

---

#### Scheduled Election

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 are:

#### Distribution Division

##### Division Delegates to Branch Conference (1)

###### Candidates

ERICKSEN Peter

#### Hair, Beauty and Modelling Division

##### Division Delegates to Branch Conference (1)

###### Candidates

SCIBILIA Ada

#### Ballarat Division

##### Division Delegates to Branch Conference (2)

###### Candidates

HUNTER-BEGBIE Korinea

WINZAR Kim

#### Bendigo Division

##### Division Delegates to Branch Conference (2)

###### Candidates

CUFFLEY William

RYAN Patricia

#### Geelong Division

##### Division Delegates to Branch Conference (2)

###### Candidates

COTTER Eileen

WARFE Debra-Anne

#### Gippsland and Central Division

##### Division Delegates to Branch Conference (1)

###### Candidates

HOLLINGSWORTH Suzanne

#### Latrobe Division

##### Division Delegates to Branch Conference (1)

Candidates

HOLLAND Julie

**Mallee Division**

**Division Delegates to Branch Conference (1)**

Candidates

MINION Scott

**Metropolitan Division**

**Division Delegates to Branch Conference (20)**

Candidates

ARATHOON Bernadette  
BURKE Antony  
CANNON Kathryn  
CHADWICK Wendy  
COPLEY Kim  
DALL'EST Cathy  
GIGLIOTTI John  
JOHNSTONE Anne  
JONES Nola  
LETHBORG Pauline  
LIBBIS Trevor  
MADDEN Gillian  
O'BRIEN Christian  
PREEST Simon  
SMALL Nicole  
SUMNER Madella  
TRIMBLE Tammy  
WILLMOTT Stephanie  
WILTON Michelle  
ZSARIK Leanne

**North Eastern Division**

**Division Delegates to Branch Conference (1)**

Candidates

ARGUS Patricia

**North Western Division**

**Division Delegates to Branch Conference (1)**

Candidates

CARMAN Karl

**Northern Division**

**Division Delegates to Branch Conference (1)**

Candidates

MORRISON Christine

## Western Division

### Division Delegates to Branch Conference (1)

#### Candidates

LEE Fiona

## Victorian Branch

### Branch Delegates to National Council (8)

#### Candidates

GIGLIOTTI John  
JONES Nola  
NANCE Sue  
SCIBILIA Ada  
BECKER Debra  
CONNELLY Patricia  
DONOVAN Michael  
FORNI Maureen

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



Ben Murray  
Returning Officer  
Australian Electoral Commission  
15 January 2018





16 January 2018

Mr Michael Donovan  
Secretary/Treasurer  
Shop, Distributive and Allied Employees Association - Victorian Branch  
By email: [secretary@sdavic.org](mailto:secretary@sdavic.org)

Dear Mr Donovan,

CC: National Secretary, Shop, Distributive and Allied Employees Association

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for the Victorian Branch [E2017/197]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

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Regards

**Mitch Webster**  
**Registered Organisations Commission**

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Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

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		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
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# Shop, Distributive and Allied Employees Association

## Victorian Branch

### DECLARATION OF RESULTS - E2017/197

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RYAN Patricia

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WARFE Debra-Anne

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##### Division Delegates to Branch Conference (1)

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**Division Delegates to Branch Conference (1)**

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**Metropolitan Division**

**Division Delegates to Branch Conference (20)**

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BURKE Antony  
CANNON Kathryn  
CHADWICK Wendy  
COPLEY Kim  
DALL'EST Cathy  
GIGLIOTTI John  
JOHNSTONE Anne  
JONES Nola  
LETHBORG Pauline  
LIBBIS Trevor  
MADDEN Gillian  
O'BRIEN Christian  
PREEST Simon  
SMALL Nicole  
SUMNER Madella  
TRIMBLE Tammy  
WILLMOTT Stephanie  
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ZSARIK Leanne

**North Eastern Division**

**Division Delegates to Branch Conference (1)**

Candidates

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**North Western Division**

**Division Delegates to Branch Conference (1)**

Candidates

CARMAN Karl

**Northern Division**

**Division Delegates to Branch Conference (1)**

Candidates

MORRISON Christine

## Western Division

### Division Delegates to Branch Conference (1)

#### Candidates

LEE Fiona

## Victorian Branch

### Branch Delegates to National Council (8)

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GIGLIOTTI John  
JONES Nola  
NANCE Sue  
SCIBILIA Ada  
BECKER Debra  
CONNELLY Patricia  
DONOVAN Michael  
FORNI Maureen

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



Ben Murray  
Returning Officer  
Australian Electoral Commission  
15 January 2018





## DECISION

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

### **Shop, Distributive and Allied Employees Association** (E2017/197)

MR ENRIGHT

MELBOURNE, 23 OCTOBER 2017

*Arrangement for conduct of election.*

[1] On 2 October 2017 the Victorian Branch of the Shop, Distributive and Allied Employees Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Division Delegates to Branch Conference from:

Distribution Division	(1)
Hair, Beauty and Modelling Division	(1)
Ballarat Division	(2)
Bendigo Division	(2)
Geelong Division	(2)
Gippsland and Central Division	(1)
Latrobe Division	(1)
Mallee Division	(1)
Metropolitan Division	(20)
North Eastern Division	(1)
North Western Division	(1)
Northern Division	(1)
Western Division	(1)
Branch Delegates to National Council	(8)

[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.



DELEGATE OF THE COMMISSIONER

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**svc-adlib5**

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**From:** Coleen Espino <cespino@sdavic.org>  
**Sent:** Monday, 2 October 2017 10:15 AM  
**To:** ROC - Registered Org Commission  
**Subject:** E2017/197 SDA VIC Election correspondence  
**Attachments:** Ltr\_ROC\_election\_BC\_NC.pdf

Please find attached letter from Michael Donovan re: SDA Vic Branch elections.

Please confirm that you have received the correspondence.

Thank you.

Regards,

## Coleen Espino

Personal Assistant to Michael Donovan  
State Secretary-Treasurer



**Shop, Distributive & Allied Employees' Association – Victorian Branch**

Level 3, 65 Southbank Boulevard, Southbank VIC 3006

**P:** (03) 9698 1400 **DIRECT:** (03) 9698 1489 **FAX:** (03) 9698 1421

**E:** [cespino@sdavic.org](mailto:cespino@sdavic.org) **W:** [www.sdavic.org](http://www.sdavic.org)

**THE UNION FOR WORKERS IN RETAIL. FAST FOOD. WAREHOUSING.**

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28 September 2017

Registered Organisations Commission  
GPO Box 2983  
Melbourne VIC 3001  
[regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

Dear Sir/Madam

**Re: Provision of Prescribed Information re Election in SDA Victorian Branch**

Please find, attached the prescribed information in respect of an election in the Shop, Distributive & Allied Employees' Association, Victorian Branch.

The information supplied is in accordance with sub-section 189(1) of the Fair Work (Registered Organisations) Act 2009 and with Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009.

I advise that on Tuesday 26 September 2017 State Council of the Victorian Branch passed the following resolution:

*"Pursuant to Rules 38, 40 and 43 State Council resolves that nominations for Division Delegates to Conference and Branch Delegates to National Council shall be called on 7 December 2017 and shall close at 11 am on 5 January 2018 and in the event of a ballot being necessary it shall open on 16 February 2018 and close at 9 am on 8 March 2018."*

Should you require any further information please do not hesitate to contact the undersigned on 9698 1489.

Yours sincerely



**Michael Donovan**  
Branch Secretary/Treasurer

**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009**

I, Michael Donovan, being the Branch Secretary/Treasurer of the Shop, Distributive and Allied Employees' Association Victorian Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Shop, Distributive and Allied Employees' Association Victorian 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** lodged at least 2 months before nominations open for the election below.

Signed: *Michael Donovan*

Dated: *28 SEP 2017*

*[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A**

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

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Distribution Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Hair, Beauty and Modelling Division
Victoria	Division Delegate to Conference	2	Direct Voting System	Scheduled	Ballarat Division
Victoria	Division Delegate to Conference	2	Direct Voting System	Scheduled	Bendigo Division
Victoria	Division Delegate to Conference	2	Direct Voting System	Scheduled	Geelong Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Gippsland & Central Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Latrobe Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Mallee Division
Victoria	Division Delegate to Conference	20	Direct Voting System	Scheduled	Metropolitan Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	North Eastern Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	North Western Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Northern Division
Victoria	Division Delegate to Conference	1	Direct Voting System	Scheduled	Western Division
Victoria	Branch Delegates to National Council	8	Direct Voting System	Scheduled	Victoria

- Important dates:

	<b>Direct Voting System</b>	<b>Collegiate Electoral System</b>
<b>Nominations OPEN</b>	<i>7 December 2017</i>	
<b>Nominations CLOSE</b>	<i>11 am, 5 January 2018</i>	
<b>Roll of Voters cut off date</b>	<i>30 November 2017 7 days prior to nominations opening</i>	
<b>Ballots OPEN</b>	<i>16 February 2018</i>	
<b>Ballots CLOSE</b>	<i>9am, 8 March 2018</i>	

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'to be determined by the returning officer'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.



4 September 2017

Mr Michael Donovan  
Secretary/Treasurer  
Shop, Distributive and Allied Employees Association-Victorian Branch

Sent via email: [secretary@sdavic.org](mailto:secretary@sdavic.org)

CC: AEC Returning Officer by email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Mr Donovan,

**Courtesy Letter - Election for offices [E2017/197]**

The rules of the Shop, Distributive and Allied Employees Association-Victorian Branch indicate that an election for offices within the branch is due to commence shortly.

- Division Delegates
- Delegates to National Council

It appears that nominations for the election for the above-named offices open in December this year.

**Reminder: prescribed information must be lodged**

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

**If you do NOT agree that an election is due**

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au) as soon as possible.

**If you agree that an election is due**

If you agree that an election is due, the prescribed information must be lodged within the month. The prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). When lodging the prescribed information, please quote [E2017/197]

**If you are unable to lodge the prescribed information on time**

If your branch believes that it will be unable to comply with the prescribed day as set out in the



Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

### **Penalties apply**

**It should be noted Section 189(2) is a civil penalty provision.** Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

### **Insufficient nominations**

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours faithfully,

**Sam Gallichio**  
**Registered Organisations Commission**