



10 May 2017

Mr Leslie John Davis
Secretary
The Showmen's Guild of Australasia
Email: showmens.guild@bigpond.com

Dear Mr Davis

Organisation must respond to the post-election report of the Australian Electoral Commission: E2016/216

On 28 April 2017 the Registered Organisations Commission (the ROC) received a post election report from the Australian Electoral Commission (AEC) for election E2016/216 dated 28 April 2017. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular rule(s) 13(f) and (g). This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and

- within 30 days of giving the response to the AEC:
 - lodges with the ROC a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the ROC for assistance by email to regorgs@roc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the ROC is NOT able to provide advice and assistance regarding draft alterations or the processes required to make the alterations. Rule alterations remain a function of the Fair Work Commission.

Yours sincerely

Michael Moutevelis

Registered Organisations Commission



10 May 2017

Mr Leslie John Davis
Secretary
The Showmen's Guild of Australasia
Email: showmens.guild@bigpond.com

Dear Mr Davis,

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 [E2016/216]. 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. A list of approved training providers is attached.

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 Showmen's Guild of Australasia, 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. 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

Michael Moutevelis

Registered Organisations Commission

List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 ceo@ahawa.asn.au
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 imacdonald@bic.asn.au
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 jenifer.leuba@aigroup.asn.au
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 members@nat.awu.net.au
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	AICD state-based contacts
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 orgcentre@actu.org.au
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 dennisr@wwr.com.au
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 learning@lgnsw.org.au
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 ceo@aha.org.au
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 tom@dws.net.au
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 vibeprctraining@bigpond.com
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	andrew.johnson@lgrceu.org
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	paulm@mtaq.com.au

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 operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*
 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 .]

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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<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>						

From: Orgs <orgs@fwc.gov.au>
Sent: Friday, 28 April 2017 4:22 PM
To: ROC - Registered Org Commission
Subject: ON CMS E2016/216 PER SGA E2016-216 [SEC=UNCLASSIFIED]
Attachments: Declaration Contested - Signed.pdf; SGA Declaration of Results - Uncontested Offices.pdf; Post Election Report SGA E2016-216 Signed.pdf

From: Steve Gillespie [<mailto:Steve.Gillespie@aec.gov.au>]
Sent: Friday, 28 April 2017 9:02 AM
To: showmens.guild@bigpond.com
Cc: Orgs; Industrial Elections; QLD Elections - QLD; Terrie Elekana; Steve Gillespie
Subject: Post-Election Report SGA E2016-216 [SEC=UNCLASSIFIED]

Good Morning John

Post-election Report For: The Showmen's Guild of Australasia

Election No E2016/216

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the 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 website 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.

Regards

Steve Gillespie | Returning Officer
Australian Electoral Commission
T: (07) 3834 3434 | M: 0430 599 628 | F: (07) 3834 3476

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Showmen's Guild of Australasia Scheduled Elections 2017 - E2016/216

Declaration of Results for Contested Offices

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 Showmen's Guild of Australasia

Total number of names on the roll of voters	447
Ballot papers issued	447
Replacement ballot papers issued	1
Total Ballot Papers Issued	448
Ballot papers / envelopes returned for scrutiny	277
Less ballot papers / envelopes rejected at preliminary scrutiny	11
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	266
Percentage of ballot papers returned to number issued	61
Ballot papers returned as unclaimed mail	2
Ballot papers not returned	169

President

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
HENNESSY, Luke Anthony	153	153
WOOD, Michael	110	110
Formal votes	263	263
Informal votes	1	1
Total votes	264	264
Ballot papers not returned in envelope	2	2

I declare Luke Anthony Hennessy elected.


Total number of names on the roll of voters	447
Ballot papers issued	447
Replacement ballot papers issued	1
Total Ballot Papers Issued	448
Ballot papers / envelopes returned for scrutiny	277
Less ballot papers / envelopes rejected at preliminary scrutiny	11
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	266
Percentage of ballot papers returned to number issued	61
Ballot papers returned as unclaimed mail	2
Ballot papers not returned	169

Committee Member (20)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
ALLAN, David William	137	137
BAKER, Ted	172	172
BELL, Elwin	154	154
BLADES, Shane Robert	201	201
BROWN, Caine B	84	84
BROWN, Lionel	82	82
BROWN, Michael	85	85
CHAMBERS, Bradley (barney)	165	165
CHAMBERS, Luke	220	220
DALE, Justin	89	89
GILL, Jacqueline	60	60
GILL, Justin	70	70
GILL JNR, Edward	48	48
HENNESSY, Christopher Paul	186	186
HENNESSY, Luke	164	164
HUDSON-QUAY, James L	51	51
JOHNSON, Gary Ashley	226	226
JOHNSON, Grant Arthur	185	185
LAURIE, Frank A	216	216
MCDONALD, Eli	105	105
MCDONALD, Jesse Robert	123	123
MCGREGOR, Glen	199	199
MILLER, Tyrone Lester Edwin John	96	96
NILON, Terry	126	126
OSBORNE, Lewis	171	171
PAVIER, Broderick	195	195
PINK, Glen Allan	139	139
QUAY, Lester Kyle	62	62
ROBERTS, John	169	169
ROBERTS-OSBORNE, Kyren	122	122
SHORT, Peter	181	181
TAYLOR, Clayton	194	194
VERFURTH III, Emile	199	199
WATKINS, Paul	130	130
WATKINS, Stewart	185	185
WOOD, Michael Brian	149	149
Total votes	5140	5140
Formal ballot papers	257	257
Informal ballot papers	9	9
Total ballot papers	266	266

I declare:- Gary Johnson, Luke Chambers, Frank Laurie, Shane Blades, Glen McGregor, Emile Verfurth III, Broderick Pavier, Clayton Taylor, Christopher Hennessy, Grant Johnson elected as Vice-Presidents

I declare:- Stewart Watkins, Peter Short, Ted Baker, Lewis Osborne, John Roberts, Bradley Chambers, Elwin Bell, Michael Wood, Glen Pink, David Allan elected as Committee Members


 Steve Gillespie
 Returning Officer
 Australian Electoral Commission
 5 April 2017



Declaration of Results – Uncontested Only

The Showmen's Guild of Australasia

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election **E2016/216** for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

Secretary (1 position)

Candidate

Leslie John Davis

No Ballot required

Treasurer (1 position)

Candidate

Shelley Easey

No Ballot required

Trustee (1 position)

Candidate

Patricia Blades

No Ballot required.

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



Terrie Elekana
Returning Officer
Australian Electoral Commission

8th February 2017

28 April 2017

Post-election Report

**The Showmen's Guild of Australasia –
E2016/216**

Contents

Election(s) Covered in this Report	3
Rules.....	3
Roll of Voters	3
Irregularities.....	3
Other Matters	4
Attachments	4

Election(s) Covered in this Report

Election Decision No/s: E2016/216

Rules

Rules used for the election: 169V: Incorporates alternations of
30/06/2015 [R2015/92]

Rules difficult to apply/interpret:

Apply - Rule 13(g) Returning Officer to keep declaration of final result confidential till announced at AGM.
Not really possible when scrutineers are able to be present during the counting of votes

Roll of Voters

Total number of voters on the Roll:	447
Number of apparent workplace addresses:	0
Number of non-current addresses:	0
Other matters pertaining to the roll of voters:	NIL

Irregularities

Details of written allegations of irregularities, and action taken by AEC:	Nil
Other irregularities identified, and action taken:	Nil

Other Matters

Apply – Rule 13(f). Attendance required by Returning Officer or their representative at AGM to draw by lot. – AGM is usually held in Sydney. With agreement from the Secretary the draw by lot was conducted live via telephone during the AGM. This came about as a result of the late replacement of the RO due to flooding issues in Queensland. If there is a requirement for the RO to attend the AGM, the RO should be appointed from the State in which the AGM will be held.

Attachments

- 1) Declaration of results for Uncontested Offices
- 2) Declaration of Results for Contested Offices



Steve Gillespie
Returning Officer

28 April 2017



DECISION

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

The Showmen's Guild of Australasia
(E2016/216)

MR ENRIGHT

MELBOURNE, 25 OCTOBER 2016

Arrangement for conduct of election.

[1] On 14 September 2016 and 13 October 2016 The Showmen's Guild of Australasia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President
Secretary
Treasurer
Trustee
Committee members (20 – the 10 with the highest votes becoming Vice-Presidents)

[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 GENERAL MANAGER

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ABN: 75 134 664 816

THE SHOWMEN'S GUILD OF AUSTRALASIA

4 Turner Avenue, Yatala QLD 4207 PO Box 690, Beenleigh QLD 4207

Phone: 07 3807 0011 Fax: 07 3807 0730

Email: showmens.guild@bigpond.com

www.showmensguild.com.au

13th October, 2016

**General Manager
Fair Work Commissioner
GPO Box 1994
MELBOURNE VIC 3001**

Att!: Sam Gallichio

Dear Sir,

The Showmen's Guild of Australasia hereby request that the Fair Work Commission conduct on our behalf, the election of Officers for the year 2017, pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

The Election required is for one (1) President, one (1) Secretary, one (1) Treasurer, one (1) Trustee, and twenty (20) Committee Members, ten (10) receiving the highest number of votes will be Vice Presidents and the remainder will be Committee Members. This election is required because of the expiry of term of office.

**The nominees for positions are members of the organisation.
Roll of voters closes seven (7) days before nominations open.**

Our Annual General Meeting is to be held, Wednesday 5th April 2017 and at this meeting the ballot will be declared. The voting to be employed would be direct voting system.

A suggested time table for this could be Nominations; .

- | | |
|-----------------|-------------------------------|
| - Opening | 23 December 2016 |
| - Closing | 1 st February 2017 |
| - Polls opening | 22nd February 2017 |
| - Closing | 30th March 2017 |

We trust this request will receive favourable consideration.

Yours faithfully

John Davis (Secretary)

THE SHOWMENS GUILD OF AUSTRALASIA



ABN: 75 134 664 816

THE SHOWMENS GUILD OF AUSTRALASIA

PO Box 690, Beenleigh QLD 4207
Phone: 07 3807 0011 Fax: 07 3807 0730
Email: showmens.guild@bigpond.com
www.showmensguild.com.au

14 September 2016

Our Ref: G 10496

**General Manager
Fair Work Commissioner
GPO Box 1994
MELBOURNE VIC 3001**

Dear Sir,

The Showmen's Guild of Australasia hereby request that the Fair Work Commission conduct on our behalf the election of Officers for the year 2017, pursuant to Section 189(3) of the Schedule 1 or Fair Work (Registered Organisations) Act 2009.

The Election required is for one (1) President, one (1) Secretary, one (1) Treasurer, two (2) Trustees and twenty (20) Committee Members, ten (10) receiving the highest number of votes will be Vice Presidents and the remainder will be Committee Members. This election is required because of the expiry of term of office.

The nominees for positions are members of the organisation.

Roll of voters closes seven (7) days before nominations open.

Our Annual General Meeting is to be held, Wednesday 5th April 2017 and at this meeting the ballot will be declared. The voting to be employed would be direct voting system.

A suggested time table for this could be Nominations;

- | | |
|------------------------|--------------------------|
| ➤ Opening | 23 December 2016 |
| ➤ Closing | 1st February 2017 |
| ➤ Polls Opening | 22 February 2017 |
| ➤ Closing | 30 March 2017 |

We trust this request will receive favourable consideration.

Yours sincerely,

.....
Leslie John Davis
Secretary
THE SHOWMENS GUILD OF AUSTRALASIA