



4 December 2015

Ms Michele O'Neil  
National Secretary  
Textile, Clothing and Footwear Union of Australia  
moneil@tcfvic.org.au

Dear Ms O'Neil,

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

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/60]. 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 Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Textile, Clothing and Footwear Union of Australia 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].<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/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](mailto:orgs@fwc.gov.au).]**

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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)

## 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
National	1.1.2014	Secretary	Full Name	Retiring	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Scheduled Election	Full Name	As above	mechanic
...							
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Resignation	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Scheduled Election	Full Name	As above	mechanic
		Treasurer	Full Name	Scheduled Election	vacant	vacant	vacant
...							

Ms Michele O'Neil  
National Secretary  
Textile, Clothing and Footwear Union of Australia  
359 Exhibition St  
MELBOURNE VIC 3000

By email to: [nationaloffice@tcfvic.org.au](mailto:nationaloffice@tcfvic.org.au)

**Post Election Report For: Textile, Clothing and Footwear Union of Australia  
Election E2015/60**

I refer to the above election for your organisation.

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



Danielle Paterson  
Returning Officer

18 May 2015

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Textile, Clothing and Footwear Union of Australia

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: *E2015/60*

**RULES**

Rules used for the election: 125V: Incorporates alterations 20/02/2015  
[R2015/11]  
Rules difficult to apply/interpret: None  
Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: Ballot not required  
Number of apparent workplace addresses: N/A  
Number of non-current addresses: N/A  
Other matters pertaining to the roll of voters: N/A

**IRREGULARITIES**

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

**ATTACHMENTS**

Declaration of Results



Danielle Paterson  
Returning Officer

18 May 2015

# Textile, Clothing and Footwear Union of Australia

## National Offices

### Declaration of Results for Uncontested Offices

**E2015/60**

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.

#### **National**

##### **National President**

###### Candidates

OWEN, John

##### **National Senior Vice President**

###### Candidates

KRUSCHEL, Jenny

##### **National Trustees (2)**

###### Candidates

EDWARDS, Mark  
MACPHERSON, Elizabeth

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



Danielle Paterson  
Returning Officer

5 May 2015



## Copy of Signed Decision

**Title of Matter:** Application/Notification by Textile, Clothing and Footwear Union of Australia  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** National President, National Senior Vice President, National Junior Vice President and 2 National Trustees  
**Matter Number(s):** E2015/60

A copy of the Delegate's election decision in relation to the above matter is attached for your information.

**Please note:** Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records be declared to the Fair Work Commission. This includes changes resulting from the conduct of elections. Changes must be declared within 35 days of their occurrence.

### Inquiries:

Any inquiries relating to this are to be directed to Sarah Wilkin  
Phone: (03) 8661 7026, email: [sarah.wilkin@fwc.gov.au](mailto:sarah.wilkin@fwc.gov.au).

**2 MARCH 2015**



## DECISION

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

### **Textile, Clothing and Footwear Union of Australia** (E2015/60)

MR ENRIGHT

MELBOURNE, 2 MARCH 2015

*Arrangement for conduct of election.*

[1] On 22 and 27 January 2015 the Textile, Clothing and Footwear Union of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

National President  
National Senior Vice President  
National Trustees (2)

[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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TEXTILE CLOTHING & FOOTWEAR UNION OF AUSTRALIA

**National Secretary**

Michele O'Neil

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**Website** [www.tcfua.org.au](http://www.tcfua.org.au)

27 February 2015

Fair Work Australia  
General Manager  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

**TCFUA National Office Elections**

I refer to the above matter.

Please find attached an amended Statement of Prescribed Information that was originally lodged on 22 January 2015. This amended Statement of Prescribed Information corrects some minor errors and also reflects the change of positions due for election as a result of amendments to the TCFUA Rules. (R2015-11) (20 February 2015).

I advise that the following officers' terms of office will expire at the Annual Meeting of the National Council of the Textile Clothing & Footwear Union of Australia to be held from 6 to 7 May 2015 in Victoria. Pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 I hereby request that the AEC conduct elections for the following positions:

- National President
- National Senior Vice President
- National Trustees (2)

Attached is the amended prescribed information pursuant to section 189(1).

Please contact me should you wish to discuss.

Yours sincerely,

Michele O'Neil

***Fair Work (Registered Organisations) Act 2009***

**STATEMENT OF LODGEMENT OF PRESCRIBED INFORMATION**

**TEXTILE, CLOTHING AND FOOTWEAR UNION  
OF AUSTRALIA**

I, Michele O'Neil, being the National Secretary of the Textile Clothing & Footwear Union of Australia, make the following statement:

I am the National Secretary of the Textile Clothing & Footwear Union of Australia,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the National Office of the Textile Clothing & Footwear Union of Australia, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed:



Dated: 27/2/15

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**Offices/Positions**

- National President
- National Senior Vice President
- National Trustee (2)

**Reasons for election:**

- Election for offices and positions above are required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

**Elected by:**

- The electorate for collegiate electoral system is by and from the National Council, totalling 5 persons (Rule 30(a)(iii))

**Nominations open and close:**

- The date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation in relation to the election shall be determined by the Returning Officer

**Cut off date for roll:**

- The day provided for in the rules of the organisation as the day on which the roll of voters is to be closed is to be determined by the Returning Officer (Rule 30(e))



## Copy of Prescribed Information

**Title of Matter:** Application/Notification by Textile, Clothing and Footwear Union of Australia  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** National President, National Senior Vice President, National Junior Vice President and 2 National Trustees  
**Matter Number(s):** E2015/60

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

### **Inquiries:**

Any inquiries relating to this are to be directed to: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**3 FEBRUARY 2015**





TEXTILE CLOTHING & FOOTWEAR UNION OF AUSTRALIA

**National Secretary**

Michele O'Neil

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**Website** [www.tcfua.org.au](http://www.tcfua.org.au)

22 January 2015

Fair Work Australia  
General Manager  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

**TCFUA National Office Elections**

I refer to the above matter.

I advise that the following officers' terms of office will expire at the Annual Meeting of the National Council of the Textile Clothing & Footwear Union of Australia to be held from 6 to 7 May 2015 in Victoria. Pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 I hereby request that the AEC conduct elections for the following position:

- National President
- National Senior Vice President
- National Junior Vice President
- National Trustees (2)

I further advise that the National Council has commenced the process to abolish the position of National Junior Vice President via a proposed Rules Alteration to the TCFUA Registered Rules. Relevant documentation is being lodged with the Fair Work Commission in the next week. If, and when the Rules Alteration is certified, the TCFUA will advise accordingly and provide an amended Statement of Prescribed Information reflecting the change in position.

Attached is the prescribed information pursuant to section 189(1).

Please contact me should you wish to discuss this request.

Yours sincerely,

Michele O'Neil  
National Secretary

***Fair Work (Registered Organisations) Act 2009***

**STATEMENT OF LODGEMENT OF PRESCRIBED INFORMATION**

**TEXTILE, CLOTHING AND FOOTWEAR UNION  
OF AUSTRALIA**

I, Michele O'Neil, being the National Secretary of the Textile Clothing and Footwear Union of Australia, make the following statement:

I am the National Secretary of the Textile Clothing and Footwear Union of Australia,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the National Office of the Textile Clothing and Footwear Union of Australia, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009

**OFFICE OR POSITIONS FOR WHICH ELECTION REQUIRED**

The offices or positions for which an election is required are as follows:

- National President
- National Senior Vice President
- National Junior Vice President
- National Trustees (2)

**REASON FOR ELECTION**

The reason for the election of each office or position set out above is that the term of each office or position has expired or is due to expire in the normal course of events.

**OFFICES OR POSITIONS WITH SAME NAME**

The number of offices or positions with the same name which are able to be determined before the prescribed day are as follows:

- National President
- National Senior Vice President
- National Junior Vice President
- National Trustees (2)

## **COMPOSITION OF ELECTORATE**

The electorate comprises the Textile Clothing and Footwear Union National Councillors – National Officers

## **KIND OF VOTING SYSTEM**

The kind of voting system to be used in the conduct of the elections is a direct voting system.

Signed:

A handwritten signature in black ink, appearing to read 'Michele O'Neil', written in a cursive style.

Michele O'Neil

Date: 22 January 2015