



24 August 2017

Executive Officer  
TFGA Industrial Association  
primaryemployers@bigpond.com

Dear Executive Officer,

### **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 stages 1 and 2 uncontested and contested offices [E2016/292]. 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 TFGA Industrial Association 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

**Christine Hibberd**  
**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>						

Mr Andrew Cameron  
Executive Officer  
TFGA Industrial Association  
PO Box 3014  
LAUNCESTON TAS 7250

cc Fair Work Commission [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

Dear Mr Cameron

**Post Election Report for:  
TFGA Industrial Association  
E2016/292**

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.

A handwritten signature in black ink, appearing to be 'LR', with a small dot to the right.

Lynn Ransley  
Returning Officer

15 August 2017

15 August 2017

# Post-election Report

**TFGA Industrial Association E2016/292**

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## Election(s) Covered in this Report

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Election Decision No/s: E2016/292

## Rules

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Rules used for the election: [002T: Incorporates alterations of 3 July 2015  
R2015/134]

replaces 2 January 2014 (R2013/447)

Rules difficult to apply/interpret: None

Module Rule reference (if any) N/A

## Roll of Voters

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As there were no contested offices for Stage 1 or Recall, no roll of voters was required

Total number of voters on the roll for Stage 2: 11

Number of apparent workplace addresses: 0

Number of non-current addresses: 0

Other matters pertaining to the roll of voters: N/A

# Irregularities

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

Other irregularities identified, and action taken: Nil

## Other Matters

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A question regarding absentee voting was raised at a recent meeting of the organisation and the fact that due to this provision in their rules, results of contested offices can be delayed by a number of weeks.

The organisation has been advised the Fair Work Act stipulates that ballots must be secret, so other forms of voting such as by email or phone are not acceptable. The organisation could consider changing their rules by:

- Removing the provision for absentee voting altogether. If the rules of an organisation are silent on this subject, then the AEC does not allow for absentee voting.
- Replacing the absentee vote provision with a proxy vote provision. Under the rules of some organisations, where a voter will not be able to attend a meeting for an attendance ballot, they are able to apply for a proxy vote authorising another eligible voter to vote on their behalf. The AEC requires this to be in writing.

## Attachments

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- 1) Declaration of Results for Stage 1
- 2) Declaration of Results for Recall
- 3) Declaration of Results for Stage 2



Lynn Ransley  
Returning Officer

15 August 2017

# TFGA Industrial Association

## Scheduled Election - Executive Committee members

### Declaration of Results for Uncontested Offices

**E2016/292**

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.

#### Tasmania

##### Executive Committee Member (10)

###### Candidates

ARCHER, Gerald Robert  
BYARD, David  
FOSTER, L.D.  
GRUBB, Benjamin  
MILES, Keeton  
RICHARDS, Felicity  
RIGGALL, Sam  
WILLIAMS, Glynn

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



Lynn Ransley  
Returning Officer

9 May 2017

# TFGA Industrial Association

## Executive Committee Members - Recall

### Declaration of Results for Uncontested Offices

**E2016/292**

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.

#### Tasmania

##### Executive Committee Member (2)

##### Candidates

O'CONNOR, Warwick  
WALLER, Damian

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



Lynn Ransley  
Returning Officer

3 July 2017

# TFGA Industrial Association

## Stage 2 - Office Bearers

### Declaration of Results for Contested and Uncontested Offices

E2016/292

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.

#### Executive Committee (position of President)

Total number of names on the roll of voters	11
Ballot papers issued	11
<b>Total Ballot Papers Issued</b>	<b>11</b>
Ballot papers/envelopes returned for scrutiny	11
Less ballot papers/envelopes rejected at preliminary scrutiny	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>11</b>
Percentage of ballot papers returned to number issued	100%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	0

#### President

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
<b>RICHARDS, Felicity</b>	<b>6</b>	<b>6</b>
<b>WILLIAMS, Glynn</b>	<b>5</b>	<b>5</b>
Total votes	11	11
Formal ballot papers	11	11
Informal ballot papers	0	0

I declare Felicity Richards elected.

## **Vice-President**

### Candidates

GRUBB, Ben

**I declare Ben Grubb elected.**

## **Treasurer**

### Candidates

BYARD, David

**I declare David Byard elected.**



Lynn Ransley  
Returning Officer  
Australian Electoral Commission

11 August 2017



## DECISION

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

**TFGA Industrial Association**  
(E2016/292)

MR ENRIGHT

MELBOURNE, 23 FEBRUARY 2017

*Arrangement for conduct of election.*

[1] On 15 February 2017 the TFGA Industrial Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Executive Committee Members (10)

President

Treasurer

Vice President

[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



[2017] FWCD 1077

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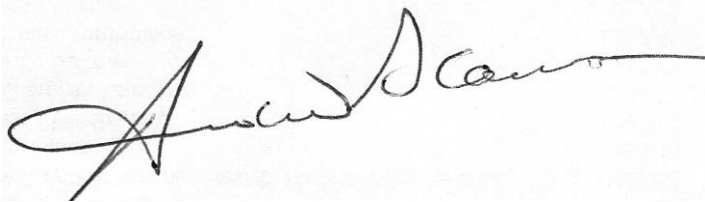
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**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

I, Andrew Stuart Cameron, being the Executive Officer of TFGA Industrial Association, make the following statement:

1. I am authorised to sign this statement containing prescribed information for TFGA Industrial Association.
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:

A handwritten signature in black ink, appearing to read 'Andrew Stuart Cameron', written over a light grey rectangular background.

Dated: 15 February, 2017

## ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Tasmania	Executive Committee Member	10	DVS	Scheduled	All financial members of TFGA Industrial Association – Rule 30
	President	1	Collegiate	Scheduled	Members of Executive Committee – Rule 31
...	Treasurer	1	Collegiate	Scheduled	Members of Executive Committee – Rule 31
	Vice President	1	Collegiate	Scheduled	Members of Executive Committee – Rule 31
...					

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	20 April, 2017 (Rule 30)	29 June, 2017
<b>Nominations CLOSE</b>	Noon, 4 May, 2017 (Rule 30)	29 June, 2017
<b>Roll of Voters cut off date</b>	Noon, 13 April, 2017	29 June, 2017

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.