



30 May 2017

Mr Anthony Sheldon  
National Secretary  
Transport Workers' Union of Australia  
Sent via email: [twu@twu.com.au](mailto:twu@twu.com.au)

Dear Mr Sheldon,

cc: Michael Kaine

### **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 National President, National Vice-President and National Trustees [E2017/66]. 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 Transport Workers' 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. 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.

Kind Regards



Sam Gallichio

Adviser

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]*
    2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

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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)

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.

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


17/5/2017

# Post-election Report

**Transport Workers' Union of Australia E2017/66**

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## Election(s) Covered in this Report

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Election Decision No/s: E2017/66

## Rules

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Rules used for the election: 179v incorporates alterations of 11 August 2016 [R2016/120]

Rules difficult to apply/interpret: None

Module Rule reference (if any) N/A

## Roll of Voters

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The roll of voters was provide by the TWU however as there was not a contest the roll was not used.

## Irregularities

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

## Other Matters

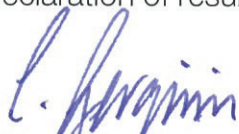
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None

## Attachments

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Declaration of results for Uncontested Offices – National



Chris Gergiris  
Returning Officer  
17/5/2017



# Transport Workers' Union of Australia Election to Office

## Declaration of Results for Offices

E2017/66

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.

### National Council

#### National President

Candidates

BIAGINI, Peter

#### National Vice-President

Candidates

DAWSON, Timothy

#### National Trustee (3)

Candidates

FENNELL, Chris  
HARVEY, Margaret  
MCINTOSH, Nick

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



Chris Gergidis  
Returning Officer

16/5/2017



**Reference:** W17/25

Mr Michael Kaine  
National Assistant Secretary  
Transport Workers' Union of Australia  
Level 2, 388-390 Sussex Street  
SYDNEY NSW 2000

By e-mail attachment: [michael.kaine@twu.com.au](mailto:michael.kaine@twu.com.au), [wendy.carr@twu.com.au](mailto:wendy.carr@twu.com.au)

Dear Mr Kaine,

**Transport Workers' Union of Australia  
Election to Office  
E2017/66**

The declaration of the election for offices is attached.

The election is now complete.

Yours sincerely



Chris Gerginis  
Returning Officer

16/5/2017

cc all candidates



## DECISION

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

**Transport Workers' Union of Australia**  
(E2017/66)

MR ENRIGHT

MELBOURNE, 20 MARCH 2017

*Arrangement for conduct of election.*

[1] On 9 March 2017 the Transport Workers' Union of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President  
Vice President  
Trustees (3)

[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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR591128>

**Tony Sheldon National Secretary**

9 March 2017

Ms Bernadette O'Neill  
General Manager  
Fair Work Commission

**Attn: Catherine Bebbington**

**By email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)**

Dear Ms O'Neill

### **SECTION 189 PRESCRIBED INFORMATION FOR ELECTION**

I write regarding the annual election by and from the organisation's National Council for the offices of President, Vice President and Trustees (x 3) to be held at the Union's National Council Meeting on Monday 15 May 2017 at 10.00 am at The Esplanade Hotel Freemantle by Rydges, Western Australia.

I state, as required by Reg. 138(2) of the *Fair Work (Registered Organisations) Regulations 2009*, that this letter and the attached document is the Prescribed Information as required by s189, Sch 1, of the *Fair Work (Registered Organisations) Act 2009* and confirm that I am an officer of the organisation who is authorised to make this statement.

Yours faithfully



Michael Kaine  
**National Assistant Secretary**  
**Transport Workers' Union of Australia**

## PRESCRIBED INFORMATION

### TRANSPORT WORKERS' UNION OF AUSTRALIA

#### COLEGIATE ELECTIONS

##### National Offices

National President	1
National Vice - President	1
National Trustees	3

DATED: 9- March- 2017

Nomination dates: In accordance with Rule 58.  
Voting system: Collegiate.

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**Contact:** Wendy Carr, Director of Legal and Operations (02) 8114 6500 Phone  
(02) 9267 3222 Facsimile

[wendy.carr@twu.com.au](mailto:wendy.carr@twu.com.au)