



31 May 2018

Mr Anthony Sheldon
National Secretary
Transport Workers' Union of Australia
twu@twu.com.au

Dear Mr Sheldon,

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 [E2018/32]. 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.

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].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]*

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)

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.]*

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>						

28 May 2018

Post-election Report

Transport Workers' Union of Australia – E2018/32

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Election(s) Covered in this Report

Election Decision No/s: E2018/32

Rules

Rules used for the election:	[179V: incorporates alterations of 21 December 2017
Rules difficult to apply/interpret:	None
Model Rule reference (if any)	N/A

Roll of Voters

A list of members of the national Council was received from the Transport Workers' Union of Australia on Monday 14 May 2018.

Total number of voters on the Roll:	26
Number of apparent workplace addresses:	Nil
Number of non-current addresses:	Nil
Other matters pertaining to the roll of voters:	N/A

Irregularities

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

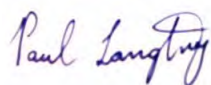
Other irregularities identified, and action taken: Nil

Other Matters

N/A

Attachments

- 1) E2018-32 TWU ResultsDecUncon SIGNED 22 May 18



Paul Langtry
Returning Officer

28 May 2018

Transport Workers' Union of Australia
DECLARATION OF RESULTS - E2018/32
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:

Members of National Council

National President (1)

Candidates

DAWSON, Timothy

National Vice-President (1)

Candidates

BERGER, John

National Trustee (3)

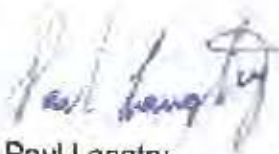
Candidates

MCINTOSH, Nicholas

HARVEY, Margaret

FENNELL, Chris

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



Paul Langtry
Returning Officer
Australian Electoral Commission

21 May 2018



DECISION

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

Transport Workers' Union of Australia
(E2018/32)

MR ENRIGHT

MELBOURNE, 19 MARCH 2018

Arrangement for conduct of election.

[1] On 5 March 2018 the Transport Workers' Union of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

National President
National Vice-President
National 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 COMMISSIONER

Printed by authority of the Commonwealth Government Printer

<PR351013>

Tony Sheldon National Secretary

5 March 2018

Mr Mark Bielecki
Registered Organisations Commissioner
Registered Organisations Commission

By email: regorgs@roc.gov.au

Dear Mr Bielecki,

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 21 May 2018 at 10.00 am at The Hilton Adelaide, 233 Victoria Square, Adelaide, South 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

A handwritten signature in black ink, appearing to read 'Michael Kaine'.

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: 28 February- 2018

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

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

wendy.carr@twu.com.au