



10 June 2014

Mr Anthony Sheldon
National Secretary
Transport Workers' Union of Australia
Level 2, Transport House
388–390 Sussex Street
Sydney
NSW 2000

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Dear Mr Sheldon,

Annual Lodgement of Information for the year 2013

I acknowledge receipt of your Declaration from the following branches of the Transport Workers' Union of Australia: the New South Wales Branch, the Victorian/Tasmanian Branch, the Western Australia Branch and the Queensland Branch, providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009*.

The documents lodged cover the required information for the **2014** annual return of the Transport Workers' Union of Australia.

The annual returns will be placed on a website maintained by Fair Work Commission at <http://www.e-airc.gov.au/179V/>.

New requirement for 2015 Annual Returns

Section 233 of the *Fair Work (Registered Organisations) Act 2009* requires an organisation to lodge a declaration and copies of information with the Fair Work Commission (the Commission) by the 31st March in each year. I note that in 2014 each branch of the Transport Workers' Union of Australia lodged a declaration and the required information. As section 233 places the onus of lodgement on the organisation and not each branch, it is the view of the Commission that the national body of the Transport Workers' Union of Australia is obliged to lodge all of the required information.

From 2015 the Commission intends to create one matter number for the Transport Workers' Union of Australia, instead of a matter number for each branch of the Transport Workers' Union of Australia. The national body of Transport Workers' Union of Australia will receive a reminder letter at the start of 2015. The branches will not receive a reminder letter.

From 2015 the national body of Transport Workers' Union of Australia is requested to collate and lodge the information regarding the national body of Transport Workers' Union of Australia and all of its branches. To assist with this task, I have attached a template annual return.

If you wish to discuss this matter, please to contact me by email at sarah.wilkin@fwc.gov.au or by telephone on (03) 8661 7604.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Wilkin', is positioned above the typed name.

Sarah Wilkin
Regulatory Compliance Branch
Fair Work Commission
Tel: 03 86617604

Email: sarah.wilkin@fwc.gov.au



26 February 2014

Ms Rose Pace
Legal Officer
Transport Workers' Union of Australia - New South Wales Branch

Sent by email: nswlegal1@twunsw.org.au

Dear Mr Forno

**Transport Workers' Union of Australia - New South Wales Branch
Annual Return of Information for 2014 [AR2014/93]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2014 in respect of the above by **31 March 2014**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the 'RO Act'] must be lodged with the Fair Work Commission ('the Commission') by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on the Commission's website at www.fwc.gov.au – under *Registered organisations - List of registered organisations*. In order to protect the privacy of the relevant office holders listed in the declarations, you may wish to list their official mailing address rather than personal home address.

The Commission encourages you to lodge all returns electronically e.g. as pdf or tif files at orgs@fwc.gov.au. Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention), see s.305 of the RO Act. Further, in maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.

Should you seek any clarification in relation to the above, please contact Mr Robert Pfeiffer on (03) 8661 7936 or via email at robert.pfeiffer@fwc.gov.au.

Yours sincerely

Ingrid Fraser
Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the 'RO Act'), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the 'RO Regulations').

A copy of each of the following records must be lodged with the Fair Work Commission ('The Commission') between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] Note: In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of office and officer in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of office and officer in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] Note: this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with The Commission, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s.233(2) and RO Regulations r.151 refer].

FAIR WORK AUSTRALIA

STATUTORY DECLARATION IN RESPECT OF ANNUAL RETURN OF INFORMATION

Statutory Declarations Act 1959

I, Wayne Forno, Branch Secretary of the Transport Workers' Union of Australia, NSW Branch,
of 31 Cowper Street Parramatta NSW 2150

make the following declaration under the *Statutory Declarations Act 1959*:

1. The register of members has, during the year 1 January 2013 to 31 December 2013, been kept and maintained as required by ss 230(1)(a) and 230(2).
2. As at 31 December 2013 the number of persons who were members of the Union was 43,835.
3. The Registered Offices of the organisation are as follows:
 - NSW Branch: Quinn House
31 Cowper Street
Parramatta NSW 2150
 - Canberra Sub-Branch: 3/289 Canberra Avenue
Fyshwick ACT 2609
4. An election will be held for all elected positions within the Branch in November 2014 in accordance with the registered rules of the Transport Workers' Union of Australia.
5. The offices in the organisation and the persons holding these offices are attached and marked "A".

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Signature of person making declaration: W Forno

Declared at Parramatta

on 24 March 2014

Before me:

Signature of Witness: Nicholas [Signature]

Name of Witness: Nicholas [Signature]

Qualification of Witness: Solicitor

Address of Witness: 31 Cowper Street Parramatta NSW 2150

“A”

Transport Workers' Union of Australia, New South Wales Branch as at 31 December 2013

Branch Finance Committee

Name	Position
George Clarke	Branch President
Charles McKay	Branch Vice-President
Wayne Forno	Branch Secretary-Treasurer
Michael Aird	Branch Assistant Secretary
Richard Olsen	Branch Assistant Secretary
Brian Beckwith	Branch Trustee
Paul Eid	Branch Trustee
Mick Forbes	Branch Trustee

National Councillors

New South Wales Branch

Name
Wayne Forno (automatically as Branch Secretary-Treasurer)

Name
Michael Aird
George Clarke
Richard Olsen

Canberra Sub-Branch

Name
Klaus Pinkas (automatically as Canberra Sub-Branch Executive Committee Secretary)

Female Councillor

Name
Margaret Harvey

WSE

NM

Branch Committee of Management

Branch Secretary-Treasurer

Name
Wayne Forno

Sydney and Central Sub-Branch Representatives

Name
Michael Aird
George Clarke
Paul Eid
Charles McKay
George Oei
Mark Trevillian
Dennis Willcox

Newcastle and Northern Sub-Branch Representatives

Name
Trevor Binskin
Mick Forbes
Doug Fox
Steve Pettiford

South Coast and Southern Sub-Branch Representatives

Name
Brian Beckwith
David Cole
Don McPherson
Richard Olsen

Canberra Sub-Branch Representatives

Name
Rick Cockburn
Klaus Pinkas

WFF
N/M

Sydney and Central Sub-Branch Executive Committee

Name	Position
Barry Faucett	Chairman
Bob Keenan	Vice-Chairman
Mick Pieri	Secretary
Vacant	Committee Member
Scott Brinley	Committee Member
Barry Hupton	Committee Member
Michael Evans	Committee Member
Leo Hackett	Committee Member
Euan Scott-Bell	Committee Member
Keith Stone	Committee Member
Glen Stutsel	Committee Member

Newcastle and Northern Sub-Branch Executive Committee

Name	Position
Ian Jack	Chairman
Doug Fox	Vice-Chairman
Mick Forbes	Secretary
Trevor Binskin	Committee Member
Joe Brugnioni	Committee Member
Les Fetch	Committee Member
Scott Leighton	Committee Member
Gary Low	Committee Member
Roger Maynier	Committee Member
Mick Wallicker	Committee Member
Mark Wilkinson	Committee Member

South Coast and Southern Sub-Branch Executive Committee

Name	Position
Gary Jorgensen	Chairman
Brian Beckwith	Vice-Chairman
Richard Olsen	Secretary
Steve Boyd	Committee Member
Phil Jennings	Committee Member
Geoff Browne	Committee Member
David Cole	Committee Member
Steve Malamas	Committee Member
Jeffrey Moses	Committee Member
Trevor Munn	Committee Member
Jon Soper	Committee Member

WBS
N/M

Canberra Sub-Branch Executive Committee

Name	Position
David Longin	Chairman
Steven Mitchell	Vice-Chairman
Klaus Pinkas	Secretary
Lindsay Briggs	Committee Member
Rick Cockburn	Committee Member
Andrew Gergely	Committee Member
Reg Hills	Committee Member
Joe Mikola	Committee Member
Chris O'Grady	Committee Member
Peter Oreskovic	Committee Member

The address of all office holders is to be PO Box 649 Parramatta NSW 2124 for all correspondence relating to their Union activities.

Occupations

Name	Occupation
George Clarke	Truck Driver
Charles McKay	Cash-in-Transit Driver
Wayne Forno	TWU Official
Michael Aird	TWU Official
Brian Beckwith	Quarry Material Industry Driver
Paul Eid	Forklift Driver
Mick Forbes	TWU Official
Richard Olsen	TWU Official
Klaus Pinkas	TWU Official
Margaret Harvey	Fleet Controller – Radio Room
George Oei	Baggage Handler
Mark Trevillian	Truck Driver – Retail Industry
Dennis Willcox	Concrete Driver
Trevor Binskin	Truck Driver – Brewery Industry
Doug Fox	PUD Industry Driver
Steve Pettiford	Cash-in-Transit Driver
David Cole	Bus Driver
Don McPherson	Truck Driver – Long Distance
Rick Cockburn	Bus Driver
Barry Faucett	Courier
Bob Keenan	Waste Industry Driver
Mick Pieri	TWU Official
Scott Brinley	PUD Industry Driver
Barry Hupton	Bus Driver
Michael Evans	Courier
Leo Hackett	PUD Industry Driver
Euan Scott-Bell	Truck Driver – General Haulage Industry
Keith Stone	Truck Driver – Waterfront Industry

W
NM

Glen Stutsel	Truck Driver – Retail Industry
Ian Jack	Concrete Owner Driver
Joe Brugnani	Long Distance Driver
Les Fetch	Coal Loader Operator
Scott Leighton	Dangerous Goods Driver
Gary Low	Tipper Driver – Quarried Materials
Roger Maynier	Waste Industry Driver
Mick Wallicker	Cash-in-Transit Driver
Mark Wilkinson	Heavy Vehicle Driver
Gary Jorgensen	Milk Industry Driver
Steve Boyd	General Transport
Phil Jennings	Waste Materials Driver
Geoff Browne	Coal Driver
Steve Malamas	Quarry Driver
Jeffrey Moses	General Transport
Trevor Munn	Bus Driver
Jon Soper	Truck Driver – General Haulage Driver
David Longin	Cash-in-Transit Driver
Steven Mitchell	Ambulance Officer
Lindsay Briggs	Courier
Andrew Gergely	Cash-in-Transit Driver
Reg Hills	Courier
Joe Mikola	Bus Driver
Chris O’Grady	Baggage Handler
Peter Oreskovic	Bus Driver

6/11
NM