



8 May 2018

Mr Gregory McConville
Secretary
United Firefighters' Union of Australia-Australian Capital Territory Branch
secretary@ufuact.asn.au

Dear Mr McConville,

cc: United Firefighters' Union of Australia, p.marshall@ufuvic.asn.au

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 Australian Capital Territory Branch [E2018/1]. 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 United Firefighters' Union of Australia-Australian Capital Territory Branch 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.

Rules – possible concern

Rule 27, (in particular part 10 (d) and (e)) of the National Rules has been identified by the AEC as a possible irregularity, which may cause a problem if a ballot was necessary. While no formal response to the AEC is required, the organisation may wish to consider the wording of the rule. Details of the concern are contained in the Post Election Report of the AEC.

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>						

12 April 2018

Post-election Report

United Firefighters' Union of Australia

ACT Branch

E2018/1

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Election(s) Covered in this Report

Election Decision No/s: E2018/1

Rules

Rules used for the election: 259V: Incorporates alterations of 1/9/2014 [R2014/166]
replaces rulebook dated 10/12/2013[R2013/95]
Rules difficult to apply/interpret: *NIL*
Model Rule reference (if any) *NIL*

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

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

Other irregularities identified, and action taken:

Rule 27, (in particular part 10 (d) and (e)) of the National Rules is procedurally defective because it does not allow enough time for the ballot material to be received and returned by the voters. Returning Officer took action under Section 193(1)(b)(ii) of the *Fair Work (Registered Organisations) Act 2009* to vary the ballot timetable to allow sufficient time for the voters to receive and return their ballot papers.

Other Matters

NIL

Attachments

Declaration of Results for Uncontested Offices – ACT

A handwritten signature in black ink, consisting of a large, stylized letter 'C' followed by a horizontal line that ends in a small flourish.

Chris Cox
Returning Officer
3 May 2018

United Firefighters ' Union of Australia

ACT BRANCH E2018/1

Declaration of Results for Uncontested Offices

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.

ACT BRANCH

Branch President

Candidates

PERIC, Mate`

Branch Secretary

Candidates

McCONVILLE, Gregory Francis

Branch Vice President

Candidates

GEERDINK, Stephen

Branch Junior Vice President

Candidates

BRIDGFORD, David

Branch Trustees (4)

Candidates

ROWLEY, Mark

GRESHAM, Adam

TELFORD, Peter Leonard

HALL, Neal

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



Chris Cox
Returning Officer
12 April 2018



DECISION

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

United Firefighters' Union of Australia
(E2018/1)

MR ENRIGHT

MELBOURNE, 17 JANUARY 2018

Arrangement for conduct of election.

[1] On 9 January 2018 the Australian Capital Territory Branch of the United Firefighters' Union of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President
Secretary
Vice President
Junior Vice President
Trustee (4)

[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

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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, Greg McConville, being the Branch Secretary of the United Firefighters Union of Australia – ACT Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the ACT Branch of the United Firefighters Union of Australia.
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:



Dated: 9 January 2017

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
<i>ACT</i>	<i>President</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>All members of ACT Branch (Rule 70)</i>
	<i>Secretary</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>All members of ACT Branch (Rule 70)</i>
	<i>Vice President</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>All members of ACT Branch (Rule 70)</i>
	<i>Junior Vice President</i>	<i>1</i>	<i>DVS</i>	<i>Scheduled</i>	<i>All members of ACT Branch (Rule 70)</i>
	<i>Trustee (Committee of Management Member)</i>	<i>4</i>	<i>DVS</i>	<i>Scheduled</i>	<i>All members of ACT Branch (Rule 70)</i>

- Important dates:

	Direct Voting System
Nominations OPEN	<i>First weekday on or after 14 March (Rule 27(10))</i>
Nominations CLOSE	<i>5pm on first weekday on or after 31 March (Rule 27(10))</i>
Roll of Voters cut-off date	<i>7 days prior to nominations opening (Rule 27)</i>
Post Ballot papers	<i>21 April</i>
Ballot CLOSSES	<i>5pm on 7 May</i>