



16 May 2016

Mr John Oliver
Branch Secretary
United Firefighters' Union of Australia-Queensland Branch
ufu@ufuq.com.au

Dear Mr Oliver,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/76]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

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-Queensland 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Debbie Ball
Regulatory Compliance Branch

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/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

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)

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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

**United Firefighters' Union of Australia
UFUA Queensland Branch Vacancy Election - E2016/76**

Declaration of Results for Contested 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.

Queensland Branch

Total number of names on the roll of voters	2363
Ballot papers issued	2363
Replacement ballot papers issued	0
Total Ballot Papers Issued	2363
Ballot papers / envelopes returned for scrutiny	498
Less ballot papers / envelopes rejected at preliminary scrutiny	10
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	488
Percentage of ballot papers returned to number issued	21
Ballot papers returned as unclaimed mail	12
Ballot papers not returned	1853

Branch President

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
MANTGARIS, Vasilios (Billy)	89	89
CULLEN, Lawrence	396	396
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	485	485
Formal ballot papers	486	486
Informal ballot papers	2	2

I declare Lawrence Cullen elected.

Linda Dodd

Linda Dodd
Returning Officer
Australian Electoral Commission

10 May 2016



DECISION

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

United Firefighters' Union of Australia
(E2016/76)

MR ENRIGHT

MELBOURNE, 19 FEBRUARY 2016

Arrangement for conduct of election.

[1] On 2 February 2016, the Queensland Branch of the United Firefighters' Union of Australia lodged with the Fair Work Commission prescribed information in relation to a casual vacancy election, following a resignation, for the following office:

Branch President

(1)

[2] I am satisfied that an election for the abovenamed office 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

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From: Angela Oliver <AngelaOliver@ufuq.com.au>
Sent: Tuesday, 2 February 2016 10:00 AM
To: Orgs
Subject: Prescribed information
Attachments: prescribed information subsequent vacant BCOM president February 2016.pdf
Categories: RIA

Please find attached a prescribed information for subsequent elections form.

Regards

Ange Oliver E: angelaoliver@ufuq.com.au
Office Manager



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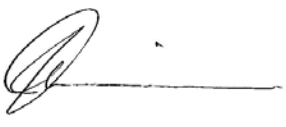
Notice and Statement of Prescribed Information for an Election

I, **John Oliver**, being the **Branch Secretary** of the **United Firefighters Union of Australia Queensland Branch**, make the following statement:

I am the **Branch Secretary** of the **United Firefighters Union of Australia Queensland Branch**,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the **Queensland Branch** of the **United Firefighters Union of Australia Queensland Branch**, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

Signed: 

Dated: 2 February 2016

Offices/Positions

A	Branch President (1) (DVS)
B	

Reasons for election:

- Election due to the resignation of previous Branch President x 1.
- Elected by:
 - Branch President –is all Firefighters, Officers, Senior Officers, Communication Centres' Officers and Auxiliary Firefighters
- The electorate for the direct voting system for:

Nominations open:

- As determined by the Australian Electoral Commission.

Nominations close:

- As determined by the Australian Electoral Commission.

Cut off date for roll:

- In all cases - 7 days prior to the opening date for nominations - rule 22(g).

Notes:

The above sample Notice and Statement would satisfy each of the particulars required under s189(1) and the relevant regulations.

The Notice and Statement are required to be lodged at least 2 months before the first day of nominations as set out in the rules of the organisation – the General Manager of FWA may allow for a later day - see subsection 138(1(a)-(g)) and regulations.

The requirement to lodge election information under s189(2) is a civil penalty provision – see s305.