



6 June 2019

Secretary/Chief Executive
 Victorian Chamber of Commerce and Industry
 Sent via email: vecci@vecci.org.au

Dear Secretary/Chief Executive

Notification of changes made to records under s.233(1) RO Act - Annual obligation to lodge information (AR2018/8)

I acknowledge receipt of a Notification of Change to the office holders of the Victorian Chamber of Commerce and Industry.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period (Yes/No). If No, how many days late
26-03-2019, Amended 04-06-2019	NA	Past President- Vacant	No - 96 Days

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Late notification

The notification from your organisation indicates that changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Officer Induction Kit

GPO Box 2983, Melbourne VIC 3001
 Telephone: 1300 341 665 | Email: regorgs@roc.gov.au
 Website: www.roc.gov.au

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

The kit should not be printed as it is updated regularly and some of the documents are interactive. The ROC strongly recommends that all new officers, and officers who are seeking more information on their obligations and duties, are given the link to the officer induction kit. Please direct your new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

Mandatory disclosures

Please ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Details are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to the financial management to undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe. Further information about training is provided in our [officer financial training fact sheet](#).

Thank you for your correspondence.

Yours faithfully,

Romy Kaur
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, Mark Stone, being the Secretary of the Victorian Chamber of Commerce and Industry, declare the following:

1. I am authorised to make this declaration.
2. A Notice of Changes to Records was signed by me on 20 November 2018 and lodged with the Registered Organisations Commission on that day.
3. In preparing the Annual Return 2019, it has been brought to my attention that the Notice of Changes did not include notification of the vacancy of the office of Past President created by the expiration of the term of that office on 15 November 2018 being the date of the 2018 AGM of the Victorian Chamber of Commerce and Industry.
4. The office of Past President was introduced by an amendment to the Rules of the Victorian Chamber of Commerce and Industry which was certified by the Fair Work Commission on 28 May 2015. The office of Past President was first held by Mark Birrell for the term which commenced on 17 November 2016 and expired on 15 November 2018.
5. The vacancy of that office should have been included in the aforementioned Notice of Change however our internal procedures failed to record the expiration of the inaugural term of this office. The Victorian Chamber of Commerce and Industry is reviewing its practices to ensure that such an omission does not occur again.
6. 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:

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.

Signed:

A handwritten signature in blue ink, appearing to read 'Mark Stone', with a large loop at the end.

Mark Stone

Dated: 22 March 2019

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

Changes to Offices and Office Holders in the Organisation and its Branches:

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
	15/11/2018	Past President	Mark Birrell	Vacant		



21 December 2018

Mark Stone, Secretary,
Victorian Chamber of Commerce and Industry

Dear Mr Stone,

Notification of changes made to records

I acknowledge receipt of a Notification of Change to the office holders of the Victorian Chamber of Commerce and Industry.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period?
20/12/2018	Victoria	Director	Yes
20/12/2018	Victoria	Executive Council Members (x4)	Yes
20/12/2018	Victoria	Regional Chairperson	Yes

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Officer Induction Kit

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

The kit should not be printed as it is updated regularly and some of the documents are interactive. The ROC strongly recommends that all new officers, and officers who are seeking more information on their obligations and duties, are given the link to the officer induction kit. Please

direct your new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

Mandatory disclosures

Please ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Details are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to the financial management to undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe.

Thank you for the notifications.


Yours faithfully,

Ros Wozniak
Investigator
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***

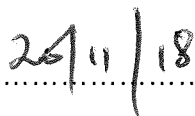
I, Mark Stone, being the Secretary of the Victorian Chamber of Commerce and Industry, declare the following:

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*:
 - 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.



.....

Signed: Mark Stone



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Dated:

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

Changes to Offices and Office Holders in the Organisation and its Branches.

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
15/11/2018	Director	Helen Fairclough previously filled a casual vacancy in the office of Director	Helen Fairclough	C/O Victorian Chamber of Commerce and Industry, Level 3 ,150 Collins Street Melbourne.	Director of People, Culture & Improvement Melbourne Convention Exhibition Centre
15/11/2018	Executive Council member	Vacant	Jeremy Blackshaw	C/O Victorian Chamber of Commerce and Industry, Level 3 ,150 Collins Street Melbourne	Managing Partner MinterEllison
15/11/2018	Executive Council member	Vacant	Carlene Wilson	C/O Victorian Chamber of Commerce and Industry, Level 3 ,150 Collins Street Melbourne	Director Policy & Government Relations The University of Melbourne
15/11/2018	Executive Council member	Richard Elkington	Kylie Warne	C/O Victorian Chamber of Commerce and Industry, Level 3 ,150 Collins Street Melbourne	Managing Director Brand Bureau
15/11/2018	Executive Council member	Vacant	Michelle Winzer	C/O Victorian Chamber of Commerce and Industry, Level 3 ,150 Collins Street Melbourne	Chief Executive Bank of Melbourne
15/11/2018	Regional Chairperson	Vacant	Thomas Berryman	C/O Victorian Chamber of Commerce and Industry, Level 3 ,150 Collins Street Melbourne	Group Executive Chairman Anycast Network Group



10 October 2018

Mr Mark Stone
Secretary
Victorian Chamber of Commerce and Industry

CC: Mr Sean Millard
Email: SMillard@ccilawyers.com.au

Dear Mr Stone,

Notification of changes made to records [AR2018/8]

I acknowledge receipt of an amended Notification of Change to the office holder of the Victorian Chamber of Commerce and Industry (**VCCI**).

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the change notified and when it was lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Organisation	Change	Within prescribed period (Yes/No). If No, how many days late
9 July 2018	VCCI	Appointment of Helen Fairclough – Board Director	Yes

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Officer Induction Kit

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

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Mandatory disclosures

Please ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Details are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to the financial management to undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe.

Thank you for your correspondence.

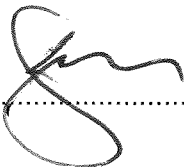
Yours faithfully,

Andrea O'Halloran
Registered Organisations Commission

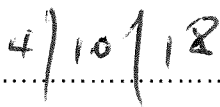
NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, Mark Stone, being the Secretary of the Victorian Chamber of Commerce and Industry, declare the following:

1. I am authorised to make this declaration.
2. I am informed that the Registered Organisations Commission requires that a further Notification of Changes be filed in addition to the Notifications filed previously with respect to the appointment of Helen Fairclough to the vacancy created by the resignation of Kerry Smith from the office of Director. This is due to Kerry Smith having resigned effective 18 June 2018 and the appointment of Helen Fairclough by the Board on 4 July 2018.
3. Specifically, at a Board meeting on 19 June 2018 the Board resolved to appoint Helen Fairclough subject to the President of the Victorian Chamber first discussing that appointment with Helen and gaining her formal acceptance of that appointment. On 4 July 2018 the President confirmed that appointment with the Board by email. The minutes of the Board meeting on 24 July 2018 record the President's opening remarks that Smith had resigned and that the Board had approved Fairclough's appointment on 4 July 2018.
4. 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*:
 - 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.



Signed: Mark Stone



Dated:

ANNEXURE A

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Changes to Offices and Office Holders in the Organisation.

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
4/07/2018	Director		Helen Fairclough	C/O Victorian Chamber of Commerce and Industry, Level 3, 150 Collins Street Melbourne.	Director of People, Culture & Improvement Melbourne Convention Exhibition Centre



31 July 2018

Mr Mark Stone
Secretary
Victorian Chamber of Commerce and Industry
info@victorianchamber.com.au

CC: Sean Millward

SMillard@ccilawyers.com.au

Dear Mr Stone,

Notification of changes made to records [AR2018/8]

I acknowledge receipt of a Notification of Change to the office holders of the Victorian Chamber of Commerce and Industry.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Organisation	Change	Within prescribed period (Yes/No). If No, how many days late
9/07/2018	VCCI	Resignation Kerry Smith - Director Appointment Helen Fairclough - Director	Yes

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

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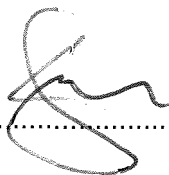
Yours faithfully,

Andrea O'Halloran
Registered Organisations Commission

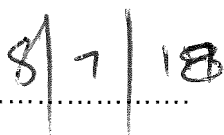
**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)
Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, Mark Stone, being the Secretary of the Victorian Chamber of Commerce and Industry, 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*:
 - 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.



Signed: Mark Stone



Dated:

ANNEXURE A

THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

Changes to Offices and Office Holders in the Organisation and its Branches.

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>18/06/2018</i>	<i>Director</i>	<i>Kerry Smith</i>	<i>Helen Fairclough</i>	<i>C/O Victorian Chamber of Commerce and Industry, Level 3, 150 Collins Street Melbourne.</i>	<i>Director of People, Culture & Improvement, Melbourne Convention Exhibition Centre</i>



12 April 2018

Mr Mark Stone
Secretary
Victorian Chamber of Commerce and Industry
vecci@vecci.org.au

Cc: Mr Ryan Power
Group Financial Controller
Email: RPower@victorianchamber.com.au

Dear Mr Stone,

Declaration and information lodged under subsection 233(1) [Annual Return] for 2018 [AR2018/8]

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 22 March 2018 of your organisation's Annual Return which provides information under subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

Thank-you for providing your Annual Return.

The documents lodged provide the required information for the 2018 Annual Return of the Victorian Chamber of Commerce and Industry.

The Annual Return has been filed. Annual returns are publicly available on the website through the [List of Registered Organisations](#).

Notifications of Change

Any changes to these records must be notified to the ROC within 35 days of the change. A template Notification of Change Declaration is available on the [fact-sheets](#) page of our website. Victorian Chamber of Commerce and Industry is encouraged to use this template if any changes occur.

If you have any queries regarding this correspondence I can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au

Yours faithfully

Andrea O'Halloran
Registered Organisations Commission

22nd March 2018

ANNUAL RETURN OF INFORMATION (organisation with no branches) in accordance with Regulation 147 *Fair Work (Registered Organisations) Regulations 2009* and Sections 230 and 233 *Fair Work (Registered Organisations) Act 2009*

I, Mark Stone, being the Secretary of the Victorian Chamber of Commerce and Industry, declare the following:

1. I am authorised to make this declaration.
2. The register of members has, during the immediately preceding calendar year, been kept and maintained as required by s.230(1)(a) and s.230(2) of the *Fair Work (Registered Organisations) Act 2009 (the Act)*.
3. The following is a correct statement of the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of *Act*.
 - The address of the organisation is Level 3, 150 Collins Street, Melbourne, Victoria 3000.¹
 - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.²
 - On 31 December in the previous year the number of members was 6,481.³
 - A list of 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.

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a), (b), (c) & (d)

³ s.230(1)(d); reg.147(f)


- Under the rules of the organisation, the following elections must be held between 1 January and 31 December of 2018:⁴

Executive Council (9)

Board of Directors (4)

Regional Chairs (5)

Signed:



Mark Stone AM
Secretary and Chief Executive
Dated: 22nd March, 2018

⁴ s.230(1)(d); reg.147(e)

Annexure A
List of Offices and Office Holders

	Office	Office Holder
1	President	Don Rankin Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
2	Deputy President	Karyn Sobels Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
3	Secretary	Mark Stone Occupation – Chief Executive Level 3, 150 Collins Street, Melbourne Vic 3000
4	Director	Kevin Brown Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
5	Director	Kerry Smith Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
6	Director	Adrian Kloeden Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
7	Director	Robert van Stokrom Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
8	Director	David Richardson Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
9	Director	Brian Negus Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000
10	Immediate Past President	Mark Birrell Occupation – Company Director Level 3, 150 Collins Street, Melbourne Vic 3000

	Office	Office Holder
11	Executive Council Member	David Abela Occupation – Managing Director, 3 Degrees Marketing Level 3, 150 Collins Street, Melbourne Vic 3000
12	Executive Council Member	Richard Elkington Occupation – Director, Paradise Consulting Level 3, 150 Collins Street, Melbourne Vic 3000
13	Executive Council Member	Dan Feldman Occupation – Managing Partner, HR Legal Level 3, 150 Collins Street, Melbourne Vic 3000
14	Executive Council Member	Richard Holyman Occupation – Managing Director, Martin and Pleasance Level 3, 150 Collins Street, Melbourne Vic 3000
15	Executive Council Member	Graham Margetts Occupation – Managing Director, Balluff Australia Pty Ltd Level 3, 150 Collins Street, Melbourne Vic 3000
16	Executive Council Member	Helen Fairclough Occupation – Director of People & Culture, Melbourne Convention & Exhibition Centre Level 3, 150 Collins Street, Melbourne Vic 3000
17	Executive Council Member	Amanda Purdie Occupation – Corporate Communications Manager, Commtract Level 3, 150 Collins Street, Melbourne Vic 3000
18	Executive Council Member	Charles Davidson Occupation – CEO, Peninsula Hot Springs Level 3, 150 Collins Street, Melbourne Vic 3000
19	Executive Council Member	Wendy Killeen Occupation – CEO, Stanton & Killeen Wines Level 3, 150 Collins Street, Melbourne Vic 3000
20	Executive Council Member	Jeremy Johnson Occupation – CEO, The Sovereign Hill Museums Association Level 3, 150 Collins Street, Melbourne Vic 3000



21	Executive Council Member	Vacant
22	Executive Council Member	Vacant
23	Regional Chairperson	Paul Macartney Occupation – Co-Founder, Digital Streets Level 3, 150 Collins Street, Melbourne Vic 3000
24	Regional Chairperson	Nerida Kerr Occupation- Executive Officer, AgBiz Assist Limited Level 3, 150 Collins Street, Melbourne Vic 3000
25	Regional Chairperson	Peter Valentine Occupation – CEO, Geelong Taxi Network Level 3, 150 Collins Street, Melbourne Vic 3000
26	Regional Chairperson	Vacant
27	Regional Chairperson	Vacant

This is the annexure marked "A" referred to in the Declaration of the Victorian Chamber of Commerce and Industry made on the – twentieth day of March in the year two thousand and eighteen.



5 March 2018

Mr Mark Stone
Chief Executive Officer/Secretary
Victorian Chamber of Commerce and Industry

Sent via email: vecci@vecci.org.au

Dear Mr Stone,

**Victorian Chamber of Commerce and Industry
Annual Return of Information for 2018 [AR2018/8]**

I refer to our letter dated 1 February 2018 reminding you of the obligation to lodge an Annual Return of Information (Annual Return). Please ignore this letter if you have lodged the Annual Return in the last few days.

When must you lodge the Annual Return?

The Annual Return 2018 must be lodged no later than **31 March 2018**.

What must you lodge?

Two signed declarations certifying matters prescribed in the Fair Work (Registered Organisations) Act 2009 (the RO Act) must be lodged along with copies of some of your records. The required declarations and records are set out in the table that follows this letter.

Please refer to our previous correspondence which provides information about maintaining the register of members, a recommendation that private information not be provided and which explains who must sign the declarations.

Consider using the ROC's template

The ROC provides a template Annual Return for an organisation without branches and a template Annual Return for an organisation with branches on our [Factsheets, templates and webinars](#) page. We recommend that you use this template to ensure that you make the correct declarations and include all the required information.

Failure to comply

Failure to comply with these obligations exposes your organisation to financial penalties (up to \$63 000 for a body corporate and \$12 600 for an individual per contravention), under s.305 of the RO Act.

Need more information?

If you require further information about an Annual Return you can refer to the [Annual returns](#) page on our website and, in particular, our Webinar slides. You can also contact the ROC by phone on 1300 341 665 or by e-mail at regorgs@roc.gov.au.

Yours sincerely



Sam Gallichio
Adviser
Registered Organisations Commission

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).

The following declarations and a copy of each of the following records must be lodged with the ROC between 1 January and 31 March each year.

Requirement	Details of requirement
Declaration regarding 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 ss.171A and 230(2)(b) of the RO Act which sets out certain circumstances where membership ceases to exist and when their names must be removed from the register, and s.172 which sets out when unfinancial members must be removed from the register
Declaration that correct statement of	A declaration stating by the Secretary or other prescribed officer that the copy of the records is a correct statement of the information contained in the records [s.233(1)(b)]
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
The number of members	A record of the number of members on 31 December in the previous year
The number of ineligible State members (if applicable)	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 r.147(g)]

Obligation to notify of changes within 35 days

If there are any changes to the records listed above an organisation must, within 35 days of the change, lodge with the ROC, 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].



1 February 2018

Mr Mark Stone
Chief Executive Officer/Secretary
Victorian Chamber of Commerce and Industry

Sent via email: vecci@vecci.org.au

Dear Mr Stone,

**Victorian Chamber of Commerce and Industry
Annual Return of Information for 2018 [AR2018/8]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2018 in respect of the Victorian Chamber of Commerce and Industry by **31 March 2018**.

What must be lodged?

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

In maintaining the register of members, your attention is drawn to the circumstances where membership ceases to exist (s.230(2)(b) and s.171A of the RO Act).

Once an Annual Return has been lodged, a copy will be posted on our website at [List of Registered Organisations](#). Therefore, to protect the privacy of the relevant office holders listed in the declarations, it is recommended that officers list their official mailing address rather than personal home address.

Who must sign the declaration?

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.

Who lodges the Annual Return of information?

Section 233 places the onus of lodgement on the organisation and not on each individual branch. It is therefore the national body that is obliged to collate and lodge all of the required information. Annual Return templates are available on the Commission website at [Registered Organisations fact sheets](#), one for an [organisation with branches](#) and one for an [organisation without branches](#).

What happens if the information changes?

The Secretary, or other prescribed officer, must notify the Commission within 35 days of any changes to such records that may occur throughout the year.

Failure to comply with these obligations is subject to a civil penalty provision (up to \$63,000 for a body corporate and \$12,600 for an individual per contravention), under s.305 of the RO Act.

Please do not hesitate to contact the Commission by phone on 1300 341 665 or by e-mail at regorgs@roc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours faithfully,



Sam Gallichio
Adviser
Registered Organisations Commission

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 offices, officeholders, branches (where relevant) or 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].