



27 November 2019

Executive Director
Tony Khoury
Waste Contractors & Recyclers Association of NSW
Sent via email: tony@wcra.com.au

Dear Tony Khoury,

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 in matter E2019/160. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

Thank you for your correspondence dated 20 November 2019. I note that the election results have been posted to the notice section at www.wcra.com.au and that your Members have been advised. I also note that you are aware of, and intend to comply with, the requirements of the *Fair Work (Registered Organisations) Act 2009* (RO Act) regarding Officer Financial Training. Although a list of the current Office Holders was attached, a Notification of Change was not included.

Organisation must notify the Commission of changes

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 Waste Contractors & Recyclers Association of NSW 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.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission



WASTE CONTRACTORS &
RECYCLERS ASSOCIATION
OF N.S.W

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20 November 2019

The Registrar
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

Copy to
The Industrial Registrar
Industrial Relations Commission of NSW
GPO Box 3670
SYDNEY 2001

Dear Sir/Madam

**Re: Actions when persons elected to office
E2019/160**

- The Declaration of Results E2019/160 have been advised to the association by the Australian Electoral Commission.
- These results have been posted to the notice section at www.wcra.com.au and our Members have been advised.
- We confirm that Mr David Clancy and Ms Ros Dent were elected to the Executive and within 6 months we will ensure that they fulfil the approved training obligation.
- An updated list showing the current Office Holders (the Executive) is attached.
- A copy of the Declaration of Results - E2019/160 is attached.

Yours Faithfully

Tony Khoury
Executive Director

Attach.

Post-election report

Waste Contractors & Recyclers
Association of NSW
Casual Vacancy election
E2019/160

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Election(s) Covered in this Report

Organisation: Waste Contractors & Recyclers Association of NSW

Election: Casual Vacancy

Election Decision No/s: E2019/160

Rules

Rules used for the election: [149N: Incorporates alternations in matter D2014/71 effective from 1 June 2015]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

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: NIL

Other Matters

Returning Officer actions required (Section 193): Yes

Details: The Organisation Rules are silent on withdrawal of nominations. The Returning Officer closed withdrawal of nominations at the same date and time as the close of Nominations.

Signed



Chris Cox
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6301
22 November 2019

Attachments

A. Declaration of Results for Uncontested Offices – NSW

Waste Contractors & Recyclers Association of NSW

DECLARATION OF RESULTS - E2019/160 Uncontested Offices

Casual Vacancy 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:

Category A

Executive Member (2)

Candidates

CLANCY David

DENT Ros

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
Telephone: 02 9375 6301
Email: nswelections@aec.gov.au
15/11/2019



DECISION

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

Waste Contractors & Recyclers Association of NSW (E2019/160)

MR ENRIGHT

MELBOURNE, 4 SEPTEMBER 2019

Arrangement for conduct of election.

[1] On 19 August and 3 September 2019 the Waste Contractors & Recyclers Association of NSW lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy for the remainder of the term, and to also fill an insufficient nomination from a previous election (**E2018/146**):

Executive Category A

(2)

[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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PR351475

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

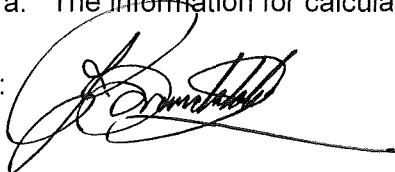
I, Jeffrey Brandstater, being the Secretary of the Waste Contractors & Recyclers Association of NSW make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Waste Contractors & Recyclers Association of NSW
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. A casual vacancy has arisen due to Mr Paul Tengdahl no longer being employed by our Member Veolia. I declare that there was no resignation however a vacancy has arisen due to the employee's departure from his employment;
5. The second vacancy has arisen due to insufficient nominations being received in an earlier election (E2018/146).
6. No rule alterations are pending that will impact the election.
7. The rule number which specifies the formula is 21.2 (a) Election of the Executive
The formula is –

Category	Number of Approved Executive Positions	Current Executive Numbers	Positions vacant
A	6	4	2
B	4	4	0
C	2	2	0

a. The information for calculating the formula is defined in the Rules

Signed:



Secretary

Dated: 3 / 9 / 2019

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 [insert as many pages as required]

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
Waste Contractors & Recyclers Association of NSW	Executive Member Category A	1	Direct Voting System	Casual vacancy	Ordinary election as per Rule 24 Members of the Association as per rule 21.2(b)
Waste Contractors & Recyclers Association of NSW	Executive Member Category A	1	Direct Voting System	Insufficient nomination	Members of the Association as per rule 21.2(b)

Important dates:

	Direct Voting System
Nominations OPEN	To be determined by the Returning Officer
Nominations CLOSE	To be determined by the Returning Officer
Roll of Voters cut-off date	7 days before nominations open as per rule 24(i)

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates.

If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template Prescribed information for the election of officer and non-officer positions.