



3 December 2015

Mr Matthew Brand  
Chief Executive Officer  
NSW Farmers' (Industrial) Association

industrial@nswfarmers.com.au

Dear Mr Brand,

**Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/157]. 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 Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the NSW Farmers' (Industrial) Association 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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - 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](mailto:orgs@fwc.gov.au).]**

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> 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>
...							

# NSW Farmers' (Industrial) Association Scheduled Elections E2015/157

## 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.

### NSW Farmers' Industrial Association

#### President

##### Candidates

SCHOEN, Derek

#### Vice-President

##### Candidates

HORAN, Mark

#### Treasurer

##### Candidates

CLARKE, David

#### Executive Committee Members (6)

##### Candidates

CHAMEN, Richard  
CLAPHAM, Mitchell  
DALTON, Helen  
DUNFORD, Wayne  
JACKSON, James  
WILSON, Peter

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



Renee Damasena  
Returning Officer

21 July 2015



Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**NSW Farmers' (Industrial) Association**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2015/157

**RULES**

Rules used for the election: [054N: Incorporates alterations of 17/07/2014 in matter R2014/20]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: 4387

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

**IRREGULARITIES**

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

Other irregularities identified, and action taken: Nil

**ATTACHMENTS**

Declaration for Uncontested Offices – E2015/157

Renee Damasena  
Returning Officer  
22 July 2015



# Copy of Signed Decision

**Title of Matter:** Application/Notification by NSW Farmers' (Industrial) Association  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** President (1); Vice President (1); Treasurer (1) and Executive Committee Members (6)  
**Matter Number(s):** E2015/157

Dear Australian Electoral Commissioner via the Electoral Officer

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the above election.

A copy of the Delegate's decision is attached for your information.

The relevant rulebook can be accessed via the Fair Work Commission's [website](#).

**Contact:** Mr Matthew Brand of the organisation, as per the prescribed information.

Please send the declaration(s) and post election report to the Fair Work Commission at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**Inquiries:**

Any inquiries relating to this matter are to be directed to Carolyn Moloney through [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**29 MAY 2015**



## Copy of Signed Decision

**Title of Matter:** Application/Notification by NSW Farmers' (Industrial) Association  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** President (1); Vice President (1); Treasurer (1) and Executive Committee Members (6)  
**Matter Number(s):** E2015/157

A copy of the Delegate's election decision in relation to the above matter is attached for your information.

**Please note:** Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records be declared to the Fair Work Commission. This includes changes resulting from the conduct of elections. Changes must be declared within 35 days of their occurrence.

### **Inquiries:**

Any inquiries relating to this are to be directed to Carolyn Moloney  
Phone: 02 8374 6510, email: carolyn.moloney@fwc.gov.au, Fax: 02 9380 6990.

**29 MAY 2015**



## DECISION

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

**NSW Farmers' (Industrial) Association**  
(E2015/157)

MR ENRIGHT

MELBOURNE, 29 MAY 2015

*Arrangement for conduct of election.*

[1] On 7 May 2015 the NSW Farmers' (Industrial) Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President	(1)
Vice President	(1)
Treasurer	(1)
Executive Committee Member	(6)

[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 GENERAL MANAGER

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## Copy of Prescribed Information

**Title of Matter:** Application/Notification by NSW Farmers' (Industrial) Association  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** Annual scheduled election: President (1); Vice President (1); Treasurer (1) and Executive Committee Members (6)  
**Matter Number(s):** E2015/157

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

### **Inquiries:**

Any inquiries relating to this are to be directed to: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**7 MAY 2015**



Industrial  
Association

7 May 2015

The General Manager  
The Fair Work Commission  
Level 8, Terrace Tower  
80 William Street  
East Sydney NSW 2011

Dear Sir,

**PRESCRIBED INFORMATION FOR THE CONDUCT OF AN ELECTION**

Pursuant to Section 189(1) of the *Fair Work (Registered Organisations) Act 2009* and regulation 138 of the *Fair Work (Registered Organisations) Regulation*, The NSW Farmers' (Industrial) Association informs you of the following prescribed information:

Section 189(1):

- a) An election is required in respect of each of the following offices:
  - i. President
  - ii. Vice President
  - iii. Treasurer
  - iv. Other members of the Executive Committee (6 positions)
- b) The election is required as the term of office for each of the positions specified in (i) to (iv) will shortly expire.
- c) All members of the NSW Farmers' (Industrial) Association are eligible to vote.
- d) The next Annual General Meeting of members of the Association will be held at the Luna Park commencing at 9am on Tuesday, 14 July 2015, with elections scheduled for at or about 10am, Thursday, 16 July 2015 to enable members present to nominate candidates for offices listed in a).

**NSW Farmers' Association**

ABN 31 000 004 851 PO Box 459 St Leonards NSW 1590 Level 6 35 Chandos Street St Leonards NSW 2065  
Member Service Centre 1300 794 000 T 02 9478 1000 F 02 8282 4500 [www.nswfarmers.org.au](http://www.nswfarmers.org.au)



## Industrial Association

- e) The following rules of the Association apply to the elections:
  - i. Rule 22(i) - Nomination – President, Vice President, Treasurer,
  - ii. Rule 23(ii) - Nomination – Executive Committee; and,
  - iii. Rule 36(i) - Nominations at Annual General Meeting) provide nominations of candidates for the offices referred to therein to be made at the Annual General Meeting.
- f) A direct voting system is to be employed in the conduct of election.
- g) The roll of voters shall close 7 days before the date of the Annual General Meeting pursuant to rule 39.

I am an officer of the Association duly authorised to make this statement pursuant to Section 138 of the Regulations.

I hereby request that the Registrar notify the Australian Electoral Commission of our forthcoming AGM and the requirement for them to conduct an election if necessary.

Should you require any further information please contact Gracia Kusuma direct on (02) 9478 1083 or at the abovementioned address.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matt Brand'.

Matt Brand  
Chief Executive  
NSW Farmers (Industrial) Association

### NSW Farmers' Association

ABN 31 000 004 851 PO Box 459 St Leonards NSW 1590 Level 6 35 Chandos Street St Leonards NSW 2065  
Member Service Centre 1300 794 000 T 02 9478 1000 F 02 8282 4500 [www.nswfarmers.org.au](http://www.nswfarmers.org.au)