



28 November 2018

Mr Tony Khoury
Executive Director
Waste Contractors & Recyclers Association of NSW
tony@wcra.com.au

Dear Mr Khoury,

Notification of changes made to records [AR2018/76]

I acknowledge receipt of a Notification of Change to the office holders of the Waste Contractors & Recyclers Association of NSW.

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
15/11/2018	N/A	Vice President, Executive members (2), Executive member vacancy (1)	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 your correspondence.

Yours faithfully,

Kylie Ngo
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, Harry Wilson, being the President of the Waste Contractors & Recyclers Association of NSW, 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*:
3. 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:



Harry Wilson, President

Dated: 15th November 2018

[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 at the Waste Contractors & Recyclers Association of NSW

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
	11 th October 2018	Executive	Scott Bayliss	Mick Nicholson	PO Box 6643 Wetherill Park NSW 2164	NSW / ACT General Manager
	11 th October 2018	Executive	Mark Taylor	Paul Tengdahl	PO Box 6643 Wetherill Park NSW 2164	General Manager NSW/ACT – Collection Services
	11 th October 2018	Executive	Jesse Brown	Position currently vacant		
	13 th November 2018	Vice President	Scott Bayliss	Susie McBurney	PO Box 6643 Wetherill Park NSW 2164	General Manager NSW/ACT
...						



8 May 2018

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

Dear Mr Khoury,

Declaration and information lodged under subsection 233(1) [Annual Return] for 2018 [AR2018/76]

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 20 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 Waste Contractors & Recyclers Association of NSW.

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. Waste Contractors & Recyclers Association of NSW 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

Michael Moutevelis
Registered Organisations Commission



WASTE CONTRACTORS &
RECYCLERS ASSOCIATION
OF N.S.W
ABN 72 805 135 472

Suite 2, First Floor
12-16 Daniel Street
Wetherill Park NSW 2164

PO Box 6643
Wetherill Park BC NSW 2164

Phone (02) 9604 7206
Fax (02) 9604 7256
Email tony@wcra.com.au

13 March 2018

Mr Sam Gallichio
Adviser
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001



Dear Sir

**Waste Contractors & Recyclers Association of NSW (WCRA)
Annual Return of Information for 2018 (AR201/76)**

We refer to your letter dated 1 February 2018 and duly attach the following:

- Statutory Declaration signed by the President of WCRA, Mr Harry Wilson detailing the information required in accordance with the Fair Work (Registered Organisations) Act 2009; and
- A listing of the Executive including Office Holders with the required contact details of all Executive Members.

Should you require further details or clarification, please do not hesitate to contact the undersigned.

Yours faithfully

Tony Khoury
Executive Director

Attach.

Statutory Declaration

"I, Harry Wilson of 2/12-16 Daniel Street Wetherill Park, NSW 2164

(Occupation) Managing Director in the State of New South Wales, do solemnly and sincerely declare that:

- I am the President of The Waste Contractors & Recyclers Association of NSW ('WCRA');
- The Association maintains a register of Members which is kept in accordance with the requirement of ss230(1) (a) and (2);
- The Association has only one office situated at Suite 2, First Floor, 12-16 Daniel Street, Wetherill Park NSW 2164;
- Attached to this Declaration is a list of office holders detailing names, addresses and occupations of the 12 Members of the Executive including President, Vice President, Secretary and Treasurer;
- We hereby confirm that these records are 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 the Act;
- We confirm that there were no elections of office bearers in the last 12 months;
- The Association does not have any branches;
- The Association has not commenced or ceased any branch activities;
- We confirm that the Association had 193 Members as at 31st December 2017;
- To the best of our knowledge we confirm that the Association has no agreements relating to State unions under section 151(1) of the RO Act

and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act, 1900*.

Declared at SYDNEY, this 13 day
of MARCH 2018.

Before me: [Signature]
Declarant (Signature)

[Signature]
(Signature of Witness)

KIM GLASBEKOW
(Print Full Name of Witness)

PARTNER / SOLICITOR
(Title)

Penalties for False Statutory Declarations

The *Oaths Amendment Act 1996* provides that if a Statutory Declaration is made to gain material benefit and the offence is dealt with by indictment the penalty is up to 7 years imprisonment. If dealt with summarily then the penalty is up to 2 years imprisonment and/or a fine of 100 penalty units (\$11,000). If the offence is swearing if the offence is swearing a false declaration that does not involve material benefit, the penalty is up to 12 months imprisonment and/or a fine of 50 penalty units (\$5,500).



Waste Contractors and Recyclers Association of NSW
Suite 2 First Floor, 12-16 Daniel Street WETHERILL PARK NSW 2164
All mail to be addressed to:
PO Box 6643 WETHERILL PARK BC NSW 2164
Phone: 02 9604 7206 Fax: 02 9604 7256
Email: tony@wcra.com.au

Executive Member	Occupation	Organisation Represented	Email	Mobile
Harry Wilson <i>President</i>	Managing Director	SMS Municipal Services Pty Ltd	[REDACTED]	[REDACTED]
Scott Bayliss <i>Vice President</i>	Sydney C&I Manager	SUEZ	[REDACTED]	[REDACTED]
Greg Turner <i>Treasurer</i>	Contracts Manager	JR Richards & Sons	[REDACTED]	[REDACTED]
Jeffrey Brandstater <i>Secretary</i>	Managing Director	Brandster Services Pty Ltd	[REDACTED]	[REDACTED]
Jesse Brown	NSW Business Manager	Tox Free (NSW) Pty Ltd	[REDACTED]	[REDACTED]
Mark Falanga	Managing Director	Wastefree (Aust) Pty Ltd	[REDACTED]	[REDACTED]
Glenn Gauslaa	Manager	G & S Waste	[REDACTED]	[REDACTED]
David Harrison	Sales Manager	Viscount Plastics (Australia) Pty Ltd	[REDACTED]	[REDACTED]
David Johnston	General Manager - Commerical	United Resource Management	[REDACTED]	[REDACTED]
Susie McBurney	General Manager NSW/ACT	Remondis Pty Ltd	[REDACTED]	[REDACTED]
Mark Taylor	GM - NSW Resource Recovery	Veolia	[REDACTED]	[REDACTED]
Nathan Ung	NSW Business Manager	Polytrade Recycling	[REDACTED]	[REDACTED]

Tony Khoury
Executive Director
13 March 2018



5 March 2018

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

Dear Mr Khoury,

**Waste Contractors & Recyclers Association of NSW
Annual Return of Information for 2018 [AR2018/76]**

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 Tony Khoury
Executive Director
Waste Contractors & Recyclers Association of NSW

Sent via email: tony@wcra.com.au

Dear Mr Khoury,

**Waste Contractors & Recyclers Association of NSW
Annual Return of Information for 2018 [AR2018/76]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2018 in respect of the Waste Contractors & Recyclers Association of NSW 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].