



12 January 2018

Mr Andrew Kay  
President  
Australian Entertainment Industry Association  
info@liveperformance.com.au

Dear Mr Kay,

**Notification of changes made to records [AR2017/42]**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Entertainment Industry Association (trading as Live Performance Australia).

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
8/12/2017	National	New office holder Ms Susan Donnelly	Yes
8/12/2017	National	New office holder Ms Melanie Smith	Yes
8/12/2017	National	New office holder Ms Lisa Campbell	Yes
8/12/2017	National	New office holder Ms Fiona Winning	Yes
8/12/2017	National	New office holder Mr Alexander Budd	Yes

**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, the details of which 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 must 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,

**Declan Clifford**  
**Registered Organisations Commission**

8 December 2017

Ms Christine Hibberd  
Registered Organisations Commission  
GPO Box 2983  
Melbourne VIC 3001

By email: [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

**Re: Notification of changes to records following recent elections**

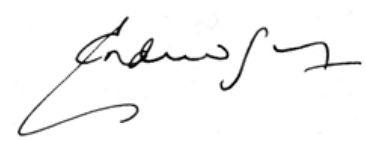
Dear Ms Hibberd

Thank you for your letter, dated 21 November 2017, reminding me of certain obligations imposed on organisations and persons elected to office under the Fair Work (Registered Organisations) Act 2009 (the RO Act).

1. A notice has been published on the Live Performance Australia (LPA) Members website noting that a copy of the post-election report is available from LPA or the AEC on request.
2. At our first meeting for 2018, I will remind members of our Executive Council of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests. Please note that the Australian Entertainment Industry Association's Executive Council's Remuneration Policy states that no Council member shall "receive remuneration from LPA for providing services or the services of a company of which they are a Director".
3. Please find attached information pertaining to changes in office holders, in accordance with section 233(2) of the RO Act.

I trust that this information meets the requirements of the RO Act. Please let me know if you have any further queries.

Yours sincerely



**Andrew Kay**  
President  
Australian Entertainment Industry Association (trading as Live Performance Australia)

E [info@liveperformance.com.au](mailto:info@liveperformance.com.au)

## NOTIFICATION OF CHANGES TO RECORDS

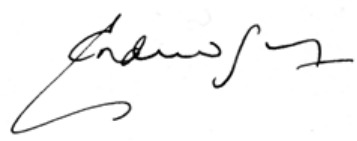
### (Changes to Records in the Annual Return)

*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, **Andrew Kay**, being the President of the Australian Entertainment Industry Association (trading as Live Performance Australia), 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:

A handwritten signature in black ink, appearing to read 'Andrew Kay', enclosed in a thin black rectangular border.

Dated: 8 December 2017

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

*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 Outgoing Office Holder	Name of New Office Holder	Postal Address of New Office Holder	Occupation of New Office Holder
National	1 December 2017	Executive Councillor	Mr Bruce Carmichael	Ms Susan Donnelly	18 Belvoir Street Surry Hills Sydney NSW 2010	Executive Director, Belvoir St Theatre
National	1 December 2017	Executive Councillor	Mr Craig Hassall AM	Ms Melanie Smith	PO Box 7585 Melbourne VIC 8004	Executive (Performing Arts), Arts Centre Melbourne
National	1 December 2017	Executive Councillor	Ms Judy Vince	Ms Lisa Campbell	PO Box 904 Potts Point NSW 1335	Producer, Luckiest Productions
National	1 December 2017	Executive Councillor	Mr Tim McGregor	Ms Fiona Winning	GPO Box 4274 Sydney NSW 2001	Head of Programming, Sydney Opera House
National	1 December 2017	Executive Councillor	Ms Claire Spencer	Mr Alexander Budd	PO Box 291 Strawberry Hills NSW 2012	General Manager (Melbourne & Enterprises), Opera Australia

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**From:** ROC - Registered Org Commission  
**Sent:** Thursday, 12 October 2017 3:40 PM  
**Subject:** Education and advice campaign - notification of changes to records within prescribed timeframe [SEC=UNCLASSIFIED]  
**Attachments:** Letter to orgs\_Notifications of Change.pdf; Fact Sheet\_Notification of changes.pdf; Guidance Note\_notifications of change.pdf; Legislative Summary\_Notifications of Change.pdf

Good afternoon,

Please find attached correspondence for the Secretary or other prescribed office holder, providing education and advice regarding the obligation to notify the Registered Organisations Commission (the ROC) of changes to the records of a registered organisation.

Kind regards,

**Office of the Registered Organisations Commission**

Tel: 1300 341 665  
[regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

GPO Box 2983, MELBOURNE VIC 3001 | 414 Latrobe Street, Melbourne Victoria 3000



**Australian Government**  
**Registered Organisations Commission**

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12 October 2017

Dear Secretary (or prescribed office holder),

**Education and advice campaign - the obligation to notify the ROC of changes to records within the prescribed statutory time frame**

I write on behalf of the Registered Organisations Commissioner to advise you about an education and advice campaign being conducted by the Registered Organisations Commission (ROC) which is designed to encourage all registered organisations and their office holders to comply with the statutory obligation to lodge timely notifications of changes to records, contained in section 233(2) of the *Fair work (Registered Organisations) Act 2009* (the RO Act).

The ROC has become increasingly concerned about systemic contraventions of s.233(2) in which the lodgement of notifications are repeatedly weeks, months or even years late, or have not been lodged at all. Contraventions of this provision can give rise to risks for registered organisations and their members as a result of reduced transparency and accountability, and can expose the organisation to potential civil penalty proceedings.

As an independent regulator, the ROC's approach seeks to be fair, proportionate, objective and evidence-based. The ROC considers that compliance with statutory obligations is essential to ensure that registered organisations function efficiently, effectively and transparently.

**The importance of timely notifications**

The statutory obligation on registered organisations to notify the ROC of particular changes to records under s.233(2) of the RO Act has been part of the regulatory scheme in various forms for over 100 years and is currently a civil penalty provision, which means that registered organisations or their prescribed office holders may be potentially liable for any breaches.

The obligation is essential for a number of reasons including that:

- It assists members to participate in the democratic functioning and control of their organisations;
- Enables the regulator to publish information about who current office holders are; and
- It promotes accountability of office holders who are managing the funds and assets of registered organisations.

Registered organisations represent the interests of approximately 2 million members nationally. It is essential that timely information about the identity of relevant office holders is lodged in compliance with the RO Act so that the regulator and each organisation's members can be aware of which office holders are exercising management and financial responsibilities in their organisations.

The ROC and its predecessors have published the lists of office holders of registered organisations on the relevant agency's public website since at least 2003. The ROC also publishes all notifications about changes to the branches, office addresses and office holders of registered organisations lodged under s.233(2) of the RO Act. The publication of this information provides transparency to members and the general public and facilitates accountability.

## Educational reference documents

The ROC is committed to providing education, assistance and advice to registered organisations as part of the functions set out in s.329AB of the RO Act. Our primary educational goal is to maximise voluntary compliance with statutory obligations under the RO Act, to promote the effective governance, accountability and transparency of registered organisations and to thereby reduce the need for enforcement action.

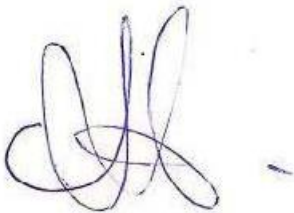
As one part of a strategy to assist organisations to increase voluntary compliance with the s.233(2) obligation, the ROC has recently produced some new educational guides which are **enclosed**:

- Guidance Note – a quick reference guide in the form of a table, using scenarios where organisation staff and office holders may be unsure if they are obliged to notify changes. The table contains references to all relevant legislative provisions;
- Fact Sheet – a separate fact sheet outlining the types of changes that need to be notified and what needs to be included with the notification;
- Legislative Summary – a brief summary of the history of the legislative provision to notify changes, included for the purpose of understanding the historical context of the obligation.

In addition, the ROC will continue its ongoing practice of providing courtesy reminder correspondence about the requirement to notify changes to office holders, whenever we are provided with election results from the Australian Electoral Commission (**AEC**). Further, the ROC proposes to audit and continue to review compliance with this important statutory obligation.

Should you have any questions or feedback in relation to this correspondence, I can be contacted on 1300 341 665 or via [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours faithfully,



Chris Enright  
Executive Director  
Registered Organisations Commission





# Fact sheet

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## Notification of changes

The *Fair Work (Registered Organisations) Act 2009* requires organisations of employers and employees to annually lodge certain information to the Registered Organisations Commission (the ROC). In addition, whenever any changes occur in relation to certain records, registered organisations are required to lodge a notification of change to the ROC. The change must be lodged within 35 days after the change occurs.

## Records requiring notifications of any changes

If any of the following records change, the organisation must notify the ROC of the change within 35 days after the change occurs:

- the list of offices in the organisation or in a branch of the organisation
- the name, postal address or occupation of a person holding office
- the name of a branch of the organisation
- the commencement or cessation of a branch of the organisation
- the address of the office of the organisation, or the address of the office of a branch of the organisation

## What does the ROC do with the information?

Records including the above information are required to be lodged by each organisation by 31 March in each year in the Annual Return of Information. Annual Returns are published under the corresponding organisation on the ROC website. This information can be found by clicking on the 'Find a Registered Organisation' tab. Notifications of changes are published in descending date order within the corresponding year's annual return document. This enables members to view the changes with reference to the complete list of office holders.

## When changes must be notified

Details of any changes must be notified within 35 days after the change occurs, as prescribed by regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009*.

## What needs to be included?

**NOTE:** *The ROC recommends use of the sample Notification of Changes template, as provided below, to help ensure that all of the required details are included in a notification of change*

- The notification must be lodged with a declaration signed by the Secretary or another office holder whose duties under the rules of the organisation or branch include lodging required information to

the statutory body. The declaration must contain a statement that the information lodged is a correct statement of the changes made.

- The notification must include details of each relevant office/office holder/branch to which the changes have occurred.
- The notification must include the date the change occurred and clearly specify what the change was.
- The notification must indicate the date on which the changes occurred, as this pertains to the obligation to lodge the notification within 35 days of the change.
- For changes to office holders the following details are also required:
  - The title of the relevant office
  - The name of each new or former office holder
  - the postal address of each new office holder. For privacy reasons, the ROC recommends using the postal address of the relevant organisation/branch, rather than the residential address of the person.
  - The occupation of each new office holder
- For new branches the street address (not just a postal address) must be included.

## Who can sign the declaration?

The declaration must be signed by the Secretary or another office holder whose duties under the rules of the organisation or branch include lodging required information to the statutory body. A sample declaration template is provided below under 'sample notification of change template'.

If an organisation is divided into branches or divisions, the notification of change may be made by a national office holder or the relevant branch or division office holder, depending on who has authority under the rules of the organisation to do so.

## Sample Notification of Changes Template

The sample notification of change template provided below includes a sample declaration template and a sample notification table. The ROC recommends use of these documents to help ensure that all of the required information is provided.

- [Sample notification of change template](#)

## Find out more

- Guidance Note – ROC Quiz Answers - Notifications of Change
- Legislative Summary – Notifications of Change
- [ROC Internal Checklist – Notifications of change](#)
- [Fact Sheet – Records to be kept by registered organisations](#)
- [Fact Sheet – Records to be lodged annually by registered organisations](#)

For instructions on how to lodge a notification of changes with the ROC, please refer the [Lodging Documents](#) section of our website.



# Guidance Note

## Notifications of Change ROC Quiz

<u>Question</u>	<u>Answer</u>	<u>Reference</u> *RO Act = Fair Work (Registered Organisations) Act 2009; *RO Regs = Fair Work (Registered Organisations) Regulations 2009).
<b>1. Do organisations need to lodge a notification of changes <i>IF</i>:</b>		
a) An elected office holder resigned but the term of office was almost over	<b>YES</b> – any change to the list of office holders of the organisation or a branch of the organisation must be notified within 35 days of the change.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(b) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
b) A person leaves an office but the person replacing them will not commence for a few weeks	<b>YES</b> – this requires <u>two</u> notifications – one for the office holder leaving, and one for the person replacing them. If both changes can be notified within 35 days of the earliest change, they can be included together in just one notification, however, we recommend notifying each change as soon as possible after it occurs in order to ensure compliance.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
c) An elected national office holder relocated to a different state	<b>YES</b> – any change to the address of an office holder must be notified within 35 days of the change	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
d) A branch relocated to different premises	<b>YES</b> – any change to the office name or address of the organisation, or of a branch of the organisation, must be notified within 35 days of the change.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(d) of the RO Act;</li> <li>• Reg.147(d)(ii) of the RO Regs;</li> <li>• Reg.151 of the RO Regs</li> </ul>
e) The Secretary’s telephone number or email address changed	Not required under the legislation – however, it is beneficial to update us with any changes to contact details so we can provide alerts for upcoming lodgement dates and other important information. You can email <a href="mailto:regorgs@roc.gov.au">regorgs@roc.gov.au</a> to advise changes to telephone and email addresses.	<b>N/A</b>
f) A Branch office changed its’ telephone number or	Not required under the legislation – however, it is beneficial to keep	<b>N/A</b>

	preferred email address	us updated with relevant contact details to facilitate ROC alerts for upcoming lodgement dates and other important information updates. You can email <a href="mailto:regorgs@roc.gov.au">regorgs@roc.gov.au</a> to advise changes to telephone and email addresses.	
	<b>g)</b> The AEC has recently provided a declaration of results for an election to the organisation and the email shows that it was also sent to the ROC by the AEC	<b>YES</b> – the organisation is still required to formally notify the ROC of any <u>changes</u> to the list of office holders in the organisation or any of its’ branches. If an election results in any changes to the people holding offices, those changes must be formally notified within 35 days of the change.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>h)</b> An entire branch is abolished	<b>YES</b> - the organisation is required to notify the ROC of any changes to its’ list of branches; any changes to the list of offices in a branch of the organisation; and any changes to the list of names, postal addresses and occupations of people holding those offices	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Sections 230(1)(b), (c) and (d) of the RO Act;</li> <li>• Regs.147(a), (c) and (e)(ii) of the RO Regs;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>i)</b> A person is re-elected to the same office they already held, and they are listed in the most recent annual return list of office holders	<b>NO</b> – only changes need to be notified to the ROC	N/A
	<b>j)</b> A person is re-elected, but to a different office	<b>YES</b> – any <u>changes</u> to the list of office holders in the organisation or any of its’ branches needs to be notified to the ROC within 35 days.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>k)</b> A Committee of Management Member resigned, but they are not the President, Secretary, Assistant Secretary or Treasurer	<b>YES</b> – members of the Committee of Management are officers as defined in the Act. Any changes in relation to such offices must be lodged within 35 days of the date the change took place.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 9 of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>l)</b> A person resigned but it won’t take effect for three months	<b>NOT YET</b> – a notification of change needs to be lodged within 35 days after the change takes effect. This means it must be lodged between the day it takes effect and 35 days later.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>m)</b> A person has been elected but they won’t take office until a set date in the future	<b>NOT YET</b> – a notification of change needs to be lodged after the change takes effect. It must be lodged between the date it takes effect and 35 days later.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Reg.151 of the RO Regs</li> </ul>
	<b>2. What needs to be included in the notification?</b>	A notification of change needs to include relevant details of the change. In relation to a change of	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act;</li> <li>• Reg.147 of the RO Regs</li> </ul>

	office holder, this will include the date the change occurred, the title of the relevant office, the name of the relevant person/people, whether they have ceased or commenced office, the postal address of the person / people (we recommend using the relevant organisation/branch address for privacy reasons), and the title of the occupation of the person / people. We recommend using the <a href="#">Notification of Changes template</a> , which is available on the <a href="#">Notification of Changes page</a> of the ROC website.	
Do organisations need to lodge:		
An amended list of all of the officers	NO – only details of the changes need to be lodged. If you lodge the entire list again and do not identify the changes staff of the ROC will ask you to specify what the changes are and when they occurred	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act</li> </ul>
Officers' names	YES	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act</li> </ul>
Officers' occupation titles	YES	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act</li> </ul>
Officers' home addresses	NO – please do not lodge their home addresses. The ROC publishes all of the returns on the website – please list their professional addresses	N/A
Officers' professional addresses	YES – this can be the address of the Union or Employer Association, or the relevant branch	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act</li> </ul>
<u>ONLY</u> the changes to the President, Treasurer, Vice President and Secretary	NO – notifications of change are required in relation to <u>all offices</u> in which a change has occurred. Offices include Committee of Management Members (however named - including, for example, Directors of the Board)	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Section 230(1)(c) of the RO Act;</li> <li>Section 9 of the RO Act;</li> </ul>
A soft copy by email and a hard copy by post	NO – the ROC only requires one lodgement and email is the preferred method. The email address to lodge the notifications is <a href="mailto:regorgs@roc.gov.au">regorgs@roc.gov.au</a> .	N/A
Copies of resignations	NO – proof of leaving office is only required for evidence in relation to casual vacancy election matters. Evidence is not required in relation to notifications of changes.	N/A
Does it need to be signed?	YES – the notification must accompany a declaration stating that the copy of records lodged is a	<ul style="list-style-type: none"> <li>Section 233(2) of the RO Act;</li> <li>Reg.150 of the RO Regs</li> </ul>

	correct statement of the changes made. The declaration must be signed by the Secretary or another current officer whose duties under the rules include lodging required information to the statutory body.	
<b>3. Elections and Notifications of change</b>		
a) If an officer resigns do organisations need to lodge the Prescribed Information for a casual vacancy election separately to the notification of changes?	YES – the notification process is completely separate to the election process. Notification of a vacant office does not cause an election process to automatically start. For information about lodging Prescribed Information for elections, see the <a href="#">Elections page</a> of the ROC website.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> </ul>
b) Do organisations need to advise the ROC about changes even when the ROC has been provided with the declaration of results for an election by the AEC?	YES – it is one of the statutory obligations of organisations to notify the ROC, in writing, of any changes to the records the organisation has lodged. The AEC declaration of results provides the names of office holders elected, but does not indicate whether this constitutes a change to the list of office holders that the organisation lodged with the annual return.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> <li>• Section 230(1)(c) of the RO Act</li> </ul>
c) If evidence of a vacancy has already been provided to the organisation for an election matter, is it still necessary to lodge a notification of the change?	YES – the notification of changes process and requirements are completely separate to those of the election process.	<ul style="list-style-type: none"> <li>• Section 233(2) of the RO Act;</li> </ul>



# Guidance Note

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## **Summary and Historical Context of the Legislative Provisions**

A brief explanation of the historical context surrounding the reporting obligation to notify changes is provided below. This information is intended to promote a better understanding of the reporting obligation, as well as an understanding of some of the purposes of the obligation.

As an overview, the statutory requirement for federally registered organisations to notify the relevant regulator of changes to records:

- appears to have been part of the relevant legislative scheme for over a century,
- has varied in terms of the time periods allowed for the changes to be notified to the relevant regulator,
- is an essential, fundamental and appropriate statutory obligation which provides transparency to members and the regulator.

## **Summary of the current provisions relevant to notifications of changes**

'RO Act' means *Fair Work (Registered Organisations) Act 2009*.

'RO Regs' means *Fair Work (Registered Organisations) Regulations 2009*.

Subsection 233(2) of the RO Act provides that:

An organisation must, within the prescribed period, lodge with the Commissioner notification of any change made to the records required to be kept under paragraphs 230(1)(b), (c) and (d), certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made.

Civil penalty: 60 penalty units.

Subsections 230(1)(b), (c) and (d) of the RO Act provide that:

(1) An organisation must keep the following records:

- (b) a list of the offices in the organisation and each branch of the organisation;
- (c) a list of the names, postal addresses and occupations of the persons holding the offices;
- (d) such other records as are prescribed.

Regulation 147 of the RO Regs provides that:

For paragraph 230(1)(d) of the Act, the following records are prescribed in relation to an organisation:

- (a) a record of the name of each branch of the organisation;
- (b) a record of the name of each branch that commenced operation in the previous 12 months;
- (c) a record of the name of each branch that ceased operation in the previous 12 months;

- (d) a record of the address of:
  - (i) the office of the organisation; and
  - (ii) the office of each branch of the organisation;
- (e) a record of each election that must, under the rules of the organisation, be held during each year commencing 1 January:
  - (i) for an office in the organisation; and
  - (ii) for an office in a branch of the organisation;
- (f) a record of the number of members on 31 December in the previous year;
- (g) if the organisation has entered into an agreement mentioned in subsection 151(1) of the 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 section 150 of the Act.

Regulation 151 of the RO Regs provides that:

For subsection 233(2) of the Act, for the lodgment of notification of any change to the records, the period of 35 days, beginning on the day after the day when the change is made, is prescribed.

Section 5 of the RO Act provides that:

The standards set out in this Act:

- (a) ensure that employer and employee organisations registered under this Act are representative of and accountable to their members, and are able to operate effectively; and
- (b) encourage members to participate in the affairs of the organisations to which they belong; and
- (c) encourage the efficient management of organisations and high standards of accountability of organisations to their members; and
- (d) provide for the democratic functioning and control of organisations; and
- (e) facilitate the registration of a diverse range of employer and employee organisations.

### **Brief chronological history of the legislative provision**

1913 - The history of the provision for registered organisations to notify changes to relevant statutory body can be traced back to 1913. The *Conciliation and Arbitration Regulations 1913*, contained the 'Returns of Officers' provision at regulation 19, which required updates of lists of office holders to be provided within 14 days of any change.

1928 - The *Conciliation and Arbitration Regulations 1928* contained requirements relating to records at regulation 20 and this requirement bears similarity to the obligation set out in s 233(2) of the current RO Act. From 1928, the statutory requirement in accordance with regulation 23 was that changes to the records of registered organisations were to be filed with the relevant regulator within 14 days.

1989 - In 1989, the obligation on a registered organisation to notify the relevant regulator of changes to office holders was found in regulation 131, and notifications of changes were required to be lodged within 35 days. The requirement transitioned into the *Industrial Relations Act 1988* by virtue of section 268(4) taking effect in March 1989.

1988 - The *Industrial Relations Act 1988* was replaced by the *Workplace Relations Act 1996*.

2002 - The *Workplace Relations Amendment (Registration and Accountability of Organisations) Act 2002* placed the reporting obligations of registered organisations into a separate schedule. This amendment introduced Schedule 1B to the *Workplace Relations Act 1996*, which was the original RAO (*Registration and Accountability of Organisations*) Schedule. The RAO schedule included section 233 which is very similar to the provision in s.233(2) of the current RO Act.

2009 - The RAO schedule later became the *Fair Work (Registered Organisations) Act 2009*.





**Australian Government**  
**Registered Organisations Commission**

19 June 2017

Mr Andrew Kay  
President  
Australian Entertainment Industry Association

By email: [info@liveperformance.com.au](mailto:info@liveperformance.com.au)

Dear Mr Kay

**Annual Return of Information for Australian Entertainment Industry Association  
[AR2017/42]**

I acknowledge receipt on 17 March 2017 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The documents lodged cover the required information for the 2017 Annual Return of Information of the Australian Entertainment Industry Association.

The documents have been filed and can be viewed on the website at <http://www.roc.gov.au/find-a-registered-organisation/aeia/australian-entertainment-industry-association>.

Yours faithfully

*Sarah Wilkin*

**Sarah Wilkin**  
**Senior Adviser**  
**Compliance**



## **ANNUAL RETURN 2017 DECLARATION**

I, **ANDREW KAY**, of [REDACTED] President of the Australian Entertainment Industry Association (AEIA), Org code 031N, an organisation of employers registered under the Fair Work (Registered Organisations) Act 2009, in the State of Victoria, do solemnly and sincerely declare:

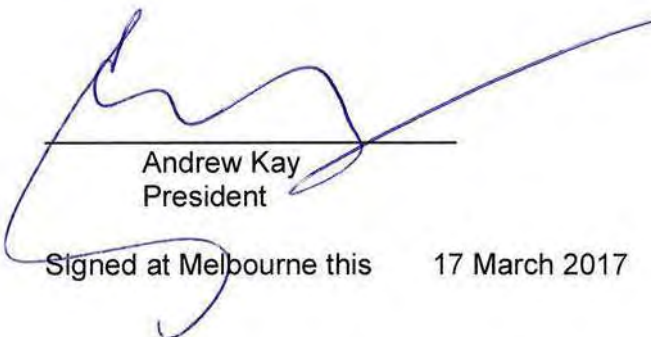
1. A register of members has, during the preceding calendar year, been kept and maintained in accordance with the requirements of s.230 (1) (a) and subsection 230 (2) of the Fair Work (Registered Organisations) Act 2009. In accordance with Section 233(1)(b) a copy of the records required to be kept under paragraphs 230(1)(b), (c) and (d) have been certified by declaration by the secretary or other prescribed officer of the organization to be a correct statement of the information contained in those records.
2. The list of offices in the Association for which nominations are called or may be made are as follows:
  - President (1)
  - Vice Presidents (2)
  - Executive Councillors (not less than three or more than 15)
3. The names, postal addresses and occupations of the persons holding offices in the Association as at 31 December 2016 are as follows:

The address for all Office Holders and Committee Members is  
Level 1, 15 – 17 Queen Street, Melbourne 3000.

<b><u>OFFICER</u></b>	<b><u>OCCUPATION</u></b>
<b><u>President</u></b>	
Andrew Kay	Producer
<b><u>Vice President</u></b>	
Maria O'Connor	Managing Director
John Kotzas	Chief Executive
<b><u>Executive Councillors</u></b>	
Torben Brookman	Executive Producer
Bruce Carmichael	Director
Michael Cassel	Director

Michael Coppel	President/ CEO
Richard Evans	Managing Director
Douglas Gautier	Chief Executive Officer
Craig Hassall	Chief Executive Officer
Shirley McGrath	Financial Controller
Tim McGregor	Managing Director
Patrick McIntyre	Executive Director
Liza Mclean	Director
Rod Pilbeam	Executive Director
Claire Spencer	Chief Executive
Judy Vince	General Manager
Louise Withers	Managing Director

4. There are no branches or other divisions of the Association.
5. There are no new branches or other divisions of the Association.
6. There are no Old branches or other divisions of the Association.
7. The Registered Office of the Association is at  
Level 1, 15 – 17 Queen Street, Melbourne 3000 in the State of Victoria.  
Phone: 03 8614 2000 Fax: 03 9614 1166  
Email: [info@liveperformance.com.au](mailto:info@liveperformance.com.au).
8. In accordance with the AEIA rule 11(d), the Executive Council shall be elected for a term of two years.  
An election was conducted by the Australian Electoral Commission in November 2015.  
The results were announced at the Annual General Meeting held on 26 November 2015.  
The next election of the Executive Council will be held in November 2017.
9. As at 31 December 2016 the organisation had 400 members.

  
\_\_\_\_\_  
Andrew Kay  
President

Signed at Melbourne this 17 March 2017