



10 June 2016

Ms Carolyn Grantskalns
Chief Executive
The Association of Independent Schools of South Australia
Email: office@ais.sa.edu.au

Dear Ms Grantskalns,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2015/270]. 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 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 Association of Independent Schools of South Australia, 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
Michael Moutevelis
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].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 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]:³
 - 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.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ 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>
...							

svc-adlib5

From: Melbourne Registry
Sent: Tuesday, 7 June 2016 1:23 PM
To: Orgs
Subject: FW: Declaration Election and Post Election Report E2015/270 [DLM=For-Official-Use-Only]
Attachments: PER Report AISSA E2015-270.docx; Declaration of Results - Stage 1 & 2.rtf

From: Phil Roberts [<mailto:Phil.Roberts@aec.gov.au>]
Sent: Tuesday, 7 June 2016 12:34 PM
To: Melbourne Registry
Subject: Declaration Election and Post Election Report E2015/270 [DLM=For-Official-Use-Only]

For-Official-Use-Only

FWC

The Association of Independent Schools of South Australia E2015/270

Declaration of Election [and Pot Election Report](#) attached

Phil Roberts
Returning Officer, SA State Office
Australian Electoral Commission
T: (08) 82376542M: 0439 547 964

For-Official-Use-Only

DISCLAIMER:

If you have received this transmission in error please notify us immediately by return email and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or attachments.

Ms Carolyn Grantskalns
Chief Executive
Assoc of Independent Schools of SA (AISSA)
301 Unley Rd
Malvern SA 5061

Post Election Report for: Association of Independent Schools of SA (AISSA) E2015/270

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

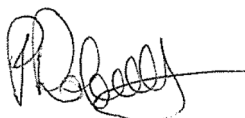
Section 198 of Fair Work (Registered Organisations) Act 2009 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to industrial.elections@aec.gov.au within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organization's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Act 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.



Phil Roberts
Returning Officer
25 May 2016

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Association of Independent Schools of SA (AISSA)

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2015/270

RULES

Rules used for the election: 008S: Rules as at registration on 26/05/2014

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: N/A

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 of Results – Uncontested Stage 1
- Uncontested Stage 2



Phil Roberts
Returning Officer
25 May 2015

The Association of Independent Schools of South Australia

Declaration of Results for Uncontested Offices E2015/270

Board Members Stage 1

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.

Board Members

Head of a Secondary or R12 School (2)

Candidates

DUNSTAN, Anne Louise
RIJKEN, Marcel

Nominee Governor of a Secondary or R12 School

Candidates

GRIMMETT, Donald

Nominee Governor of a Primary School

Candidates

No nomination was received

Executive Members Stage 2

Office Bearers (Executive Committee)

Chairperson

Candidates

No nomination was received

Deputy Chairperson

Candidates

DOWNING, Kristian

Treasurer

Candidates

HOWELL, Brenton

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



Phil Roberts
Returning Officer

20 May 2016



DECISION

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

The Association of Independent Schools of South Australia (E2015/270)

MR ENRIGHT

MELBOURNE, 27 JANUARY 2016

Arrangement for conduct of election.

[1] On 8 December 2015 The Association of Independent Schools of South Australia (the organisation) lodged with the Fair Work Commission (the Commission) the prescribed information in relation to an election.

[2] On 7 January 2016 the Commission contacted the organisation and requested amended prescribed information to clarify the number and name of Board Member offices required to be included in the scheduled election in accordance with the organisation's rules.

[3] On 12 January 2016 the organisation lodged amended prescribed information for the following offices:

Board Members

Head of a Secondary or R-12 School	(2)
Nominee Governor of a Secondary or R-12 School	(1)

Executive Committee Officers

Chair	(1)
Deputy Chair	(1)
Treasurer	(1)

[4] On 7 and 12 January 2016 the organisation also lodged prescribed information in relation to a casual vacancy election, for the remainder of the term, for the following office:

Board Member

Nominee Governor of a Primary School	(1)
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[5] 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 Signed Decision

Title of Matter: Application/Notification by Association of Independent Schools of South Australia, The
Section: s.189(1) RO Act - Notification of elections for office
Subject: Board Members (4); Chair (1); Deputy Chair (1); (Treasurer)
Matter Number(s): E2015/270

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: Ms Kym Wallent 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.

Inquiries:

Any inquiries relating to this matter are to be directed to Carolyn Moloney through orgs@fwc.gov.au.

28 JANUARY 2016



Copy of Signed Decision

Title of Matter: Application/Notification by Association of Independent Schools of South Australia, The
Section: s.189(1) RO Act - Notification of elections for office
Subject: Board Members (4); Chair (1); Deputy Chair (1); (Treasurer)
Matter Number(s): E2015/270

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) 9308 1972, email: carolyn.moloney@fwc.gov.au, Fax: 02 9380 6990.

28 JANUARY 2016

Notice and Statement of Prescribed Information for an Election

I, Kym Wallent, being the Chair of the Board of the Association of Independent Schools of South Australia (**the AISSA**), make the following statement:

I am the Chair of the AISSA Board,

I am authorised to lodge the following prescribed information concerning forthcoming elections of the AISSA, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed: 

Dated: 12 January 2016

Offices/Positions

A	The Board of the AISSA (Direct Voting System) comprises:
	(i) two (2) Heads of Schools of Secondary or R-12 Schools
	(ii) one (1) nominee of the Governing Body of a Secondary or R-12 School
	(iii) one (1) nominee of the Governing Body of a Primary School
B	Chair (Collegiate Electoral System)
C	Deputy Chair (Collegiate Electoral System)
D	Treasurer (Collegiate Electoral System)

Reasons for election:

- Election for positions marked A (i) and (ii) is required because the term of those positions is due to expire in the normal course of events under the Rules of the AISSA (Rule 11A.4).
In accordance with Rule 11A.2, the Board has decided the composition of the group includes the positions marked A (i) and, for this reason, election of these positions is now due.
- Election for the position marked A (iii) is required to fill the casual vacancy that has occurred as a result of the resignation of the person holding this position (which resignation has been notified to the Fair Work Commission in accordance with s.230 of the *Fair Work (Registered Organisations) Act 2009*).
- Election for positions marked B, C and D is required because the term of those positions is due to expire in the normal course of events under the Rules of the AISSA (Rule 11.2)

Elected by:

- The electorate for positions marked A (i) and (ii) is all members of the AISSA who are Secondary or R-12 Schools.
- The electorate for the position marked A (iii) is all members of the AISSA who are Primary Schools.
- The electorate for the Collegiate Electoral System is by and from the Board (Rule 9.1.2).

Nominations open:

- For offices to be elected by the direct voting system – at least 6 weeks before 30 March 2016 (ie by no later than 16 February 2016) (Rule 12.5).
- For offices to be elected by collegiate election – 30 April 2016 (Rule 9.1.2)

Nominations close:

- These dates are to be determined in consultation with the AEC.

Cut off date for roll:

- In all cases - 7 days prior to the opening date for nominations (Rule 12.11).
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Copy of Prescribed Information

Title of Matter: Application/Notification by The Association of Independent Schools of South Australia
Section: s.189(1) RO Act - Notification of elections for office
Subject: Board Members (4); Chair (1); Deputy Chair (1); (Treasurer)
Matter Number(s): E2015/270

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.

13 JANUARY 2016

Notice and Statement of Prescribed Information for an Election

I, Kym Wallent, being the Chair of the Board of the Association of Independent Schools of South Australia (**the AISSA**), make the following statement:

I am the Chair of the AISSA Board,

I am authorised to lodge the following prescribed information concerning forthcoming elections of the AISSA, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed: 

Dated: 8 December 2015

Offices/Positions

A	The Board of the AISSA (Direct Voting System) comprises:
	(i) two (2) Heads of Schools of Secondary or R-12 Schools
	(ii) one (1) nominee of the Governing Body of a Secondary or R-12 School
	(iii) one (1) nominee of the Governing Body of a Primary School
B	Chair (Collegiate Electoral System)
C	Deputy Chair (Collegiate Electoral System)
D	Treasurer (Collegiate Electoral System)

Reasons for election:

- Election for positions marked A (i) is required because the term of those positions is due to expire in the normal course of events under the Rules of the AISSA (Rule 11A.4).
In accordance with Rule 11A.2, the Board has decided the composition of the group includes the positions marked A (i) and, for this reason, election of these positions is now due.
- Election for positions marked A (ii) and (iii) is required to fill casual vacancies that have occurred as a result of the resignation of the persons holding those positions (which resignations have been notified to the Fair Work Commission in accordance with s.230 of the *Fair Work (Registered Organisations) Act 2009*).
- Election for positions marked B, C and D is required because the term of those positions is due to expire in the normal course of events under the Rules of the AISSA (Rule 11.2)

Elected by:

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8 DECEMBER 2015