



31 January 2019

Mr Graeme Sala  
Level 6, 24 Collins Street Melbourne VIC 3000

Email: [graeme.sala@acsa.asn.au](mailto:graeme.sala@acsa.asn.au)

CC: [alina.jerijian@acsa.asn.au](mailto:alina.jerijian@acsa.asn.au)

Dear Mr Sala,

**Notification of changes made to records [AR2018/103]**

I acknowledge receipt of a Notification of Change to the office holders of Aged and Community Services 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
21/01/2019	National	Director (Vacancy)	No – 87 days
21/01/2019	National	Director (Vacancy)	No – 18 days
21/01/2019	National	Director (New Office holder)	No – 16 days
21/01/2019	National	Director (New Office holder)	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.

**Late notification**

The notification from your organisation indicates that changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

## **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 the notifications.

Yours faithfully,

**Ros Wozniak**  
**Investigator**  
**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, Graeme Sala, being the Company Secretary of the Aged and Community Services Australia (ACSA), 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:



COMPANY SECRETARY

Dated: 30 January 2019

## ANNEXURE A

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

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>20.09.2018</i>	<i>Director</i>	<i>Alexandra Zammit</i>	<i>Vacant</i>		<i>Non paid official</i>
<i>National</i>	<i>28.11.2018</i>	<i>Director</i>	<i>Vacant</i>	<i>Mark Sewell</i>	<i>2 Pine Street Albion Park Rail NSW 2527</i>	<i>CEO, Warrigal. ACSA Non paid official</i>
<i>National</i>	<i>30.11.2018</i>	<i>Director</i>	<i>John Murray</i>	<i>Vacant</i>		<i>Non paid official</i>
<i>National</i>	<i>19.12.2018</i>	<i>Director</i>	<i>Vacant</i>	<i>Dr Michael Preece</i>	<i>PO Box 810, Balcatta WA 6021</i>	<i>Exec Manager Residential, Juniper. ACSA Non paid official</i>



9 May 2018

Ms Sara Blunt  
Chairperson  
Aged & Community Services Australia  
Email: [enquiries@acsa.asn.au](mailto:enquiries@acsa.asn.au)

Dear Ms Blunt,

**Declaration and information lodged under subsection 233(1) [Annual Return] for 2018 [AR2018/103]**

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 14 March and 9 May 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 Aged & Community Services Australia.

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. Aged & Community Services Australia 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](mailto:regorgs@roc.gov.au)

Yours faithfully

**Michael Moutevelis**  
Registered Organisations Commission

**ANNUAL RETURN OF INFORMATION (organisation with no branches) in accordance with Regulation 147 Fair Work (Registered Organisations) Regulations 2009 and Sections 230 and 233 Fair Work (Registered Organisations) Act 2009**

I, SARA BLUNT, being the CHAIRPERSON of AGED & COMMUNITY SERVICES AUSTRALIA, ABN 48 609 882 288, declare the following:

1. I am authorised to make this declaration.
2. The register of members has, during the immediately preceding calendar year, been kept and maintained as required by s.230(1)(a) and s.230(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act).
3. The following is 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:
  - The address of the organisation is LEVEL 6, 24 COLLINS STREET MELBOURNE VICTORIA 3000
  - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.<sup>1</sup>
  - On 31 December in the previous year the number of members was 589.<sup>2</sup>
  - A list of offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

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

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

- Under the rules of the organisation, the following elections must be held between 1 January and 31 December of 2018:<sup>3</sup>
  1. Directors will be appointed or reappointed at the annual AGM in October 2018.
- The organisation:
  - Has not entered into an agreement under s.151(1) of the Act with a state union.

Signed:



Dated:

30/4/18

*[PLEASE NOTE: This declaration must be lodged with the Registered Organisations Commission by 31 March. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). If at any time in the year this information changes a Notification of Changes must be lodged with the ROC within 35 days of the change<sup>4</sup>.]*

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<sup>3</sup> s.230(1)(d); reg.147(e)

<sup>4</sup> s.233(2); reg. 151

**ANNEXURE A  
THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE**

- Offices and Office Holders in the Organisation [*insert as many pages as required*]:

<b>Name of Office (include any offices that are vacant)</b>	<b>Name of Office Holder</b>	<b>Postal Address of Office Holder</b>	<b>Occupation of Office Holder</b>
CHAIRPERSON	SARA BLUNT	C/- Level 6, 24 Collins Street, Melbourne Vic 3000	CEO James Brown Memorial Trust
VICE CHAIRPERSON	STEPHEN CORNELISSEN	C/- Level 6, 24 Collins Street, Melbourne Vic 3000	Group CEO Mercy Health
BOARD MEMBER	ALEXANDRA ZAMMIT	C/- Level 6, 24 Collins Street, Melbourne Vic 3000	CEO Thomas Holt
BOARD MEMBER	JOHN MURRAY	C/- Level 6, 24 Collins Street, Melbourne Vic 3000	CEO Royal Australian Air Force Association (WA Div)
BOARD MEMBER	GREG SKELTON	C/- Level 6, 24 Collins Street, Melbourne Vic 3000	CEO PresCare
BOARD MEMBER	LUCY O'FLAHERTY	C/- Level 6, 24 Collins Street, Melbourne Vic 3000	CEO Glenview Community Services
		It is recommended that an organisation or branch supply addresses for officers that are care of the organisation or branch in order to avoid personal addresses being placed on the website	





5 March 2018

Mr Paul Sadler  
President  
Aged & Community Services Australia

Sent via email: [psadler@pcnsw.org.au](mailto:psadler@pcnsw.org.au)

Dear Mr Sadler,

**Aged & Community Services Australia  
Annual Return of Information for 2018 [AR2018/103]**

I refer to our letter dated 31 January 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](mailto: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)] <b>Note:</b> 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 <b>office</b> and <b>officer</b> 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 <b>office</b> and <b>officer</b> 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)] <b>Note:</b> 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].



31 January 2018

Mr Paul Sadler  
President  
Aged & Community Services Australia  
Sent via email: [psadler@pcnsw.org.au](mailto:psadler@pcnsw.org.au)

Dear Mr Sadler,

**Aged & Community Services Australia  
Annual Return of Information for 2018 [AR2018/103]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2018 in respect of the Aged & Community Services Australia 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](mailto: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)] <b>Note:</b> 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 <b>office</b> and <b>officer</b> 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 <b>office</b> and <b>officer</b> 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)] <b>Note:</b> 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].