



Australian Government

Registered Organisations Commission

Inquiries, investigations and litigation

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The Registered Organisations Commissioner may make inquiries and conduct investigations into federally registered unions and employer associations (known as registered organisations) regarding their compliance with the Fair Work (Registered Organisations) Act 2009 (the RO Act) and their rules regarding finances and financial administration. The Commissioner is empowered to make enquiries and conduct investigations under Part 4 of Chapter 11 of the RO Act.

The Commissioner undertakes inquiries and investigations in accordance with the provisions of the legislation and the principles of procedural fairness. The process includes providing notice of proposed adverse findings to the relevant parties and giving them an opportunity to respond before finalisation of any findings.


Inquiries and investigations are conducted in addition to the routine examination of registered organisations' financial reports for compliance with the RO Act at the time of lodgment with the Commission each year.

Overview of ROC assessments, inquiries and investigations

The following presentation slides provide an overview of the ROC's powers and procedures in relation to monitoring compliance and undertaking inquiries and investigations.

[Presentation slides \(PDF 896.2KB\)](#) - from the ROC information workshop on 6 March 2018 at Parramatta RSL Club, NSW.

Find out more

- Go to Chapter 11, Part 4—Inquiries and investigations of the [Fair Work \(Registered Organisations\) Act 2009](#) .

Current inquiries and investigations

Inquiries

- Restaurant and Catering Industrial - inquiry commenced 25 February 2020
- Queensland Real Estate Industrial Organisation of Employers – inquiry commenced 14 January 2020
- The Australian Workers' Union, Western Australia Branch - inquiry commenced 31 July 2019

Investigations

- Health Services Union Victoria No. 1 Branch - investigation [commenced 16 January 2019](#)
- Motor Traders' Association of NSW – investigation [commenced 5 November 2018](#)
- Construction, Forestry, Maritime, Mining and Energy Union, Mining and Energy Division, Queensland District Branch – investigation commenced 14 March 2018

Concluded inquiries and investigations

Please note: investigations and inquiries commenced or completed prior to 2017 will have been initiated by the General Manager of the Fair Work Commission.

2020

- Australian Property Services Association - investigation commenced 9 August 2018 and concluded 16 January 2020
- The Master Builders' Association of Victoria - inquiry commenced 31 July 2019 and concluded 22 May 2020

2019

- National Union of Workers, New South Wales Branch – investigation commenced 13 July 2018 and concluded 7 November 2019
- Clubs Victoria Inc. - investigation commenced 1 November 2018 and concluded 11 July 2019

2018

- Australian Hotels Association, Queensland Branch – investigation commenced on 20 October 2017 and [concluded 5 October 2018](#)
- Clubs Victoria Inc. – inquiry commenced 11 May 2018 and [concluded 27 August 2018](#)
- The Master Builders' Association of New South Wales – inquiry commenced 8 May 2018 and [concluded 10 August 2018](#)
- Australian Road Transport Industrial Organization, Tasmanian Branch – inquiry commenced 8 May 2018 and [concluded 10 August 2018](#)
- The Australian Workers' Union, Victorian Branch – investigation commenced 2 November 2016 and concluded 19 March 2018
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – investigation commenced 22 September 2017 and concluded 13 April 2018
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division, NSW Branch – inquiry commenced 8 December 2017 and concluded 22 March 2018
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division, Victorian and Tasmanian Branches – investigation commenced 24 May 2017 and concluded 16 February 2018
- Health Services Union, Tasmania Branch – inquiry commenced 15 September 2017 and concluded 8 January 2018

2017

- Transport Workers' Union of Australia – inquiry commenced 28 June 2017 (under s.336(1A) of the *Fair Work (Registered Organisations) Act 2009*) and concluded 23 October 2017
- United Firefighters' Union of Australia, Victorian Branch – inquiry commenced 13 July 2017 and concluded 6 October 2017
- Health Services Union East Branch – inquiry commenced 5 June 2017 and

concluded 31 August 2017

- Flight Attendants' Association of Australia, International Division – inquiry commenced 23 June 2017 (under s.336(1A) of the *Fair Work (Registered Organisations) Act 2009*) and concluded 30 August 2017
- Textile, Clothing and Footwear Union of Australia, South Australian/Tasmanian Branch (prior to its merger with the New South Wales Branch on 4 September 2006) – investigation commenced 15 July 2013 and concluded 27 February 2017.
- Australian Nursing and Midwifery Federation, Western Australian Branch – inquiry commenced 29 January 2016 (under s.336(1A) of the *Fair Work (Registered Organisations) Act 2009*) and concluded 10 February 2017.

2016

- Health Services Union Victorian No.1 Branch – investigation commenced 19 September 2013 and concluded 30 December 2016.
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division, Victorian Branch – inquiry commenced 28 July 2016 and concluded 14 October 2016
- Construction, Forestry, Mining and Energy Union, Construction and General Division, New South Wales Branch – inquiry commenced 8 June 2016 and concluded on 10 August 2016
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia; Communications Division, Tasmanian Branch – investigation commenced 23 February 2016 (commenced as an inquiry on 11 May 2015) and concluded on 26 July 2016
- Transport Workers' Union of Australia, Western Australian Branch – investigation commenced on 13 April 2016 and concluded on 8 July 2016
- Australian Salaried Medical Officers Federation, National Office – inquiry commenced 8 January 2016 (under s.336(1A) of the *Fair Work (Registered Organisations) Act 2009*) and concluded on 11 July 2016
- Transport Workers' Union of Australia – investigation commenced 1 March 2016 (commenced as an inquiry on 5 March 2015) and concluded on 27 June 2016
- Flight Attendants' Association of Australia, International Division – investigation commenced 2 December 2013 and concluded 23 May 2016
- Musicians' Union of Australia, Federal Office – inquiry commenced 19 February 2015 and concluded 27 October 2015 (notification held pending

finalisation of the Federal Court proceedings which concluded on 30 March 2016)

- Musicians' Union of Australia, Melbourne Branch – inquiry commenced 19 February 2015 and concluded 27 October 2015 (notification held pending finalisation of the Federal Court proceedings which concluded on 30 March 2016)
- Musicians' Union of Australia, Sydney Branch – inquiry commenced 19 February 2015 and concluded 27 October 2015 (notification held pending finalisation of the Federal Court proceedings which concluded on 30 March 2016)
- Musicians' Union of Australia, Hobart Branch – inquiry commenced 19 February 2015 and concluded 27 October 2015 (notification held pending finalisation of the Federal Court proceedings which concluded on 30 March 2016)
- Australian Salaried Medical Officers Federation, Queensland Branch – inquiry commenced 11 January 2016 and concluded 11 March 2016
- Transport Workers' Union of Australia – inquiry commenced 5 March 2015 and concluded 29 February 2016
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia; Communications Division, Tasmanian Branch – inquiry commenced 11 May 2015 and concluded 22 February 2016

2015

- CPSU, the Community and Public Sector Union, SPSF Group, Queensland Branch – inquiry commenced 21 September 2012 and concluded 7 December 2012, investigation commenced 7 December 2012 and concluded 12 November 2015
- Australian Childcare Centres Association – investigation commenced 23 November 2012; suspended 1 May 2013 (pending outcome of proceedings before the Commission concerning cancellation of registration); resumed 1 September 2014 (following the conclusion of proceedings before the Commission) and concluded on 24 March 2015
- Australian Rail, Tram and Bus Industry Union, Queensland Branch (Tram and Bus Division) – inquiry commenced 26 April 2013 and concluded 3 February 2015

2014

- The Pastoralists' and Graziers' Association of Western Australia (Incorporated) – inquiry commenced 17 March 2014 and concluded 9 December 2014
- Health Services Union, Victoria No. 1 Branch – inquiry commenced 23 January 2013 and concluded 5 December 2014
- Australian Nursing Federation, Western Australian Branch – investigation commenced 3 January 2013 and concluded on 28 November 2014
- Australian Salaried Medical Officers Federation, National Office – investigation commenced 20 October 2014 and concluded on 14 November 2014
- Australian Salaried Medical Officers Federation, Queensland Branch – investigation commenced 23 November 2012 and concluded on 24 October 2014
- Australian Salaried Medical Officers Federation, National Office – inquiry commenced 28 January 2013 and concluded 20 October 2014
- Health Services Union, National Office – inquiry commenced 15 April 2013 and concluded 17 October 2014
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – inquiry commenced 4 September 2012 and concluded 26 February 2014
- Musicians' Union of Australia (separate investigations concerning each of the Federal Office, the Sydney Branch, the Melbourne Branch and the Hobart Branch) – inquiries commenced 23 November 2012 and concluded 19 February 2014

2013

- Flight Attendants' Association of Australia, International Division – inquiry commenced 29 April 2013 and concluded 1 December 2013
- Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia; Electrical, Energy and Services Division NSW Branch – inquiry commenced 11 February 2013 and concluded 7 October 2013
- Tasmanian Branch of United Voice (formerly known as the Liquor, Hospitality and Miscellaneous Union) – inquiry commenced 23 July 2012 and concluded 25 March 2013
- Local Government Association of New South Wales – inquiry commenced 13 June 2012 and concluded 9 August 2012

2012

- CPSU, the Community and Public Sector Union, SPSF Group, Queensland Branch – inquiry commenced 21 September 2012 and concluded 7 December 2012
- Health Services Union National Office – inquiry commenced 6 April 2009 and concluded 26 March 2010, investigation commenced 26 March 2010 and concluded 28 March 2012

2011

- Health Services Union Victoria No. 1 Branch – inquiry commenced 29 January 2009 and concluded 27 April 2010, investigation commenced 27 April 2010 and concluded 23 December 2011

Federal Court proceedings

The Commissioner can commence proceedings in the Federal Court of Australia, including at the end of an investigation, concerning compliance by a registered organisation, its officers, employees and auditors with the RO Act. Proceedings conducted by the Registered Organisations Commissioner or General Manager of the Fair Work Commission are listed below. Proceedings commenced prior to 1 May 2017 were conducted by the General Manager of the Fair Work Commission. The Commissioner was substituted as the applicant in proceedings that continued after 1 May 2017.

Current Federal Court proceedings

- [Registered Organisations Commissioner v The Australian Workers' Union & Anor](#) [VID583/2018] – commenced 16 May 2018; judgment delivered against second respondent on 12 November 2019. Go to the Federal Court's online file [\[VID583/2018\]](#)


Completed Federal Court proceedings

- [Registered Organisations Commissioner v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia](#) [NSD802/2018] – commenced 10 May 2018; judgment delivered 11 February 2020.
- [Registered Organisations Commissioner v Australian Hotels Association](#) [VIC1442/2018] – commenced 13 November 2018; judgment

delivered 17 September 2019. Go to the Federal Court's online file [\[VID1442/2018\]](#)

- [Registered Organisations Commissioner v Australian Nursing and Midwifery Federation & Anor](#) [WAD470/2015] – commenced 21 August 2015; judgment delivered on liability on 13 November 2018 and penalty on 14 December 2018. Go to the Federal Court's online file [\[WAD470/2015\]](#)
- [Registered Organisations Commissioner v Transport Workers Union](#) [NSD2041/2016] – commenced 25 November 2016; judgment delivered 2 February 2018. Appeal: [Transport Workers Union of Australia v Registered Organisations Commissioner](#) [NSD232/2018]– judgment delivered 21 November 2018
- [Registered Organisations Commissioner v Michael Mijatov](#) [NSD2181/2016] – commenced 19 December 2016 and concluded on 22 June 2018. Go to the Federal Court's online file [\[NSD2181/2016\]](#)
- [General Manager of the Fair Work Commission v James McGiveron and Richard Burton](#) [WAD 363 of 2016] – commenced on 8 August 2016 and concluded on 21 April 2017
- [General Manager of Fair Work Australia v Musicians' Union of Australia & Anor](#) [VID620/2014] – commenced 21 October 2014 and concluded on 30 March 2016
- [General Manager of Fair Work Australia v Craig Thomson](#) [VID 798/2012] – commenced 15 October 2012 and concluded on 15 December 2015. Go to the Federal Court's online file [\[VID798/2012\]](#)
- [General Manager of Fair Work Australia v Health Services Union & Ors](#) [VID 380/2012] – commenced 23 May 2012 and concluded on 10 September 2014. Go to the Federal Court's online file [\[VID380/2012\]](#)
- [General Manager of Fair Work Australia v Health Services Union](#) [VID1128/2012] – commenced 21 December 2012 and concluded 4 December 2013. Go to the Federal Court's online file [\[VID1128/2012\]](#)

Find out more

- [Chapter 11, Part 4 – Inquiries and investigations of the Fair Work \(Registered Organisations\) Act 2009](#) 
- [Summaries of court cases](#)