

13 June 2022

Post-election report

Traffic Management Association of
Australia
Scheduled Election
E2021/184

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Election(s) Covered in this Report

Organisation: Traffic Management Association of Australia
Election: Insufficient Nominations
Election Decision No/s: E2021/184

Rules

Rules used for the election: 013Q: Incorporates alterations of 23 November 2021 [R2021/190]

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Roll of Voters

Based on an analysis of the register of members the Returning Officer has formed the opinion that:

- there were no concerns in the construction of the Roll of Voters.
- there are no concerns in the data provided by the organisation.

Total number of voters on the Roll:	7
Number of apparent workplace addresses:	0
Number of non-current addresses:	1

Other Matters

Returning Officer actions required (Section 193): Yes

Details: The matters in which I have exercised the authority given to me by s.193 of the Act are:

- Rules requiring an in-person ballot are set aside as the AEC holds concerns that the coronavirus pandemic would impact on the ability for all stakeholders to attend. Instead, the ballot is conducted via post.
- Rules regarding the timetable of the election are set aside as the AEC holds concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varies from the rules is set when the AEC is satisfied that stakeholders would be able to fully participate.
- Rules specifying the method of lodgement of nominations and candidate statements are set aside as the AEC holds concerns that the coronavirus pandemic would impact on the ability for potential candidates to nominate. Instead, nominations will be received electronically, via Email/the AEC's portal.
- As there is no rule pertaining to the withdrawal of Nomination, I am applying s193 (1) (b) of the Fair Work (Registered Organisations) Act 2009 to fix a closing time for the withdrawal of nominations.

Signed

Kathleen Cassar
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 0413 271 716
13 June 2022

Attachments

- A. Declaration of results for Stage 1 Uncontested Offices - National
- B. Declaration of results for Stage1 Recall Uncontested Offices – National
- C. Declaration of Results for Stage 2 Uncontested Offices – National
- D. Declaration of Results for Stage 2 Recall contested Offices – National
- E. Declaration of Results for Uncontested Offices – National

Traffic Management Association of Australia

DECLARATION OF RESULTS - E2021/184

Stage 2 – Recall - Contested Offices

Insufficient Nominations Election

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 are:

Management Committee

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	7
Number of voters issued with voting material	7
Total number of voters issued with replacement voting material	1
Total number of voting material packs issued	8
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	4
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	4
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	4
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	57 %

Vice President (1)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
CASSEL, John	2	2
MARSONET, Benjamin	2	2

Total ballot papers admitted for this office	4
Formal Ballot papers	4
Informal Ballot papers	0

I declare the following elected:

- * CASSEL, John

* Due to a tie in the result in the ballot, the returning officer conducted a draw by lot to determine the successful candidate for the election in accordance with Rule 7.8(b) or the organisations rules. As detailed below:

Rule 7.8(b) In the event of a tie, the Returning Officer shall determine the successful candidate by drawing lots.

Kathleen Cassar Returning Officer

Telephone: [REDACTED] Email: IEBevents@aec.gov.au 17/05/2022



Traffic Management Association of Australia
DECLARATION OF RESULTS - E2021/184 - Stage 2
Uncontested Offices

Insufficient Nominations Election

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 are:

Management Committee

Treasurer (1)

Candidates

BARKER Dylan

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

Daniel Muller
Returning Officer
Telephone: 02 5134 4645
Email: IEEvents@aec.gov.au
08/04/2022



Traffic Management Association of Australia
DECLARATION OF RESULTS - E2021/184 - Stage 2
Uncontested Offices

Scheduled Election

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 are:

Management Committee

President (1)

Candidates

WHITE Andrew

Vice President (1)

Candidates

No Nominations Received

Secretary (1)

Candidates

SIMMONS Anthony

Treasurer (1)

Candidates

No Nominations Received

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

Daniel Muller
Returning Officer
Telephone: 02 5134 4645
Email: IEBevents@aec.gov.au
11/03/2022

Traffic Management Association of Australia

DECLARATION OF RESULTS - E2021/184 - Stage 1 Uncontested Offices

Recall Election

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 are:

South Australia

Management Committee Member (1)

Candidates

BARKER Dylan

Northern Territory

Management Committee Member (1)

Candidates

WHITE Andrew

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

Daniel Muller
Returning Officer
Telephone: (02) 5134 4645
Email: IEBevents@aec.gov.au
09/02/2022



Traffic Management Association of Australia

DECLARATION OF RESULTS - E2021/184 - Stage 1 Uncontested Offices

Scheduled Election

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 are:

New South Wales

Management Committee Member (1)

Candidates

MARSONET Ben

Victoria

Management Committee Member (1)

Candidates

SIMMONS Anthony

Queensland

Management Committee Member (1)

Candidates

CASSEL John

Western Australia

Management Committee Member (1)

Candidates

O'DWYER Stephen

South Australia

Management Committee Member (1)

Candidates

No Nominations Received

Tasmania

Management Committee Member (1)

Candidates

DIXON Peter

Northern Territory

Management Committee Member (1)

Candidates

No Nominations Received

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

Daniel Muller
Returning Officer
Telephone: (02) 5134 4645
Email: IEEvents@aec.gov.au
11/01/2022





DECISION

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

Traffic Management Association of Australia (E2021/184)

MR STEENSON

SYDNEY, 22 OCTOBER 2021

Arrangement for conduct of election.

[1] On 7 October 2021 the Traffic Management Association of Australia (**the organisation**) lodged prescribed information with the Registered Organisations Commission (**the Commission**) for an election to fill the following offices:

President	(1)
Vice President	(1)
Secretary	(1)
Treasurer	(1)

Management Committee Members representing the following electorates:

Tasmania	(1)
Northern Territory	(1)
Queensland	(1)
New South Wales	(1)
Victoria	(1)
South Australia	(1)
Western Australia	(1)

[2] The organisation has advised the Commission of proposed rule alterations which are due to be voted upon at an upcoming members' meeting on 4 November 2021. The proposed alterations do not appear to affect the requirement that an election for the above-mentioned offices needs to be conducted. However, the Australian Electoral Commission (**AEC**) is hereby put on notice that in the event that the alterations are certified by the Fair Work Commission (**FWC**) prior to the conduct of the election, they may affect aspects of the election.

[3] Because of this possible consequence, I strongly encourage the organisation to notify the Commission and the AEC as soon as the proposed alterations are certified by the FWC, to enable the Commission and the AEC to determine what the effect of the alterations may be, depending on where the election process is up to.

[4] 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 COMMISSIONER

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PR352072



PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Anthony Simmons, being the Secretary of the Traffic Management Association of Australia (TMAA) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Traffic Management Association of Australia (TMAA)
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
5. *If the number of elected representatives is calculated on a formula(s) defined in the rules]:*
 - a. The rule number(s) which specify(s) the formula(s) is/are Rule 7.4 (c), 7.4 (f), 7.6 (c), 7.9 (b).
 - b. The formulas are nominations for the Direct Voting system open no less than 90 days (8 December 2021) before the AGM date (25 March 2022). The closing time for Direct Voting system shall be no more than 14 days after the date that nominations open (22 December 2021). The time and date of closure of the roll of members shall be no more than 30 days before and no less than 7 days before the opening of nominations (30 November 2021). The collegiate elections date will be determined by the Returning Officer. The relevant dates have been outlined in this section.

Signed:

A handwritten signature in black ink, appearing to read 'A. Simmons', written over a light grey circular graphic element.

Dated: 7 October 2021

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.



Annexure A

- Elections that are required [insert as many pages as required]

Division	Name of Office	Number required	Voting System <i>Direct voting system;</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
TMAA TAS	TMAA TAS (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA TAS Rule 7.
TMAA NT	TMAA NT (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA NT Rule 7.
TMAA QLD	TMAA QLD (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA QLD Rule 7.
TMAA NSW	TMAA NSW (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA NSW Rule 7.
TMAA VIC	TMAA VIC (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA VIC Rule 7.
TMAA SA	TMAA SA (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA SA Rule 7.



TMAA WA	TMAA WA (Management Committee Member)	1	Direct Voting System	Scheduled	TMAA WA Rule 7.
National	President	1	Collegiate	Scheduled	TMAA Rule 7.9
National	Vice President	1	Collegiate	Scheduled	TMAA Rule 7.9
National	Secretary	1	Collegiate	Scheduled	TMAA Rule 7.9
National	Treasurer	1	Collegiate	Scheduled	TMAA Rule 7.9

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	8 December 2021, Rule 7.4 (c)	To be determined by the Returning Officer
Nominations CLOSE	22 December 2021, Rule 7.4 (f)	To be determined by the Returning Officer
Roll of Voters cut off date	30 November 2021 Rule 7.6 (c)	To be determined by the Returning Officer

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates. If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer and clearly indicate that your nominated date is a preference. If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#)