

30 September 2022

# Post-election report

Master Builders Association of the  
Australian Capital Territory  
Scheduled election  
E2022/74

# Contents

Election Covered in this Report.....	3
Rules.....	3
Other Matters .....	3
Signed.....	3
Attachments .....	4
A. Declaration of Results for Uncontested Offices .....	4

# Election Covered in this Report

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Organisation: Master Builders Association of the Australian Capital Territory  
Election: Scheduled  
Election Decision No: E2022/74

## Rules

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Rules used for the election: 241V: Incorporates alterations of 5 May 2021 [R2020/218 & D2020/20]  
Replaces rulebook dated 20/05/2019 [R2018/260]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): Yes  
Details:

- The Organisation's rules are silent regarding withdrawal of nominations. Therefore, the withdrawal of nominations cut-off date was set as the same as the close of nominations date.
- Due to the impact and restrictions associated with COVID-19, the election results were declared via email rather than in person by the Returning Officer at the Organisation's scheduled AGM.

## Signed

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Emma Langridge  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
30 September 2022

# Attachments

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## A. Declaration of Results for Uncontested Offices



30 September 2022

Graciete Ferreira  
President  
Master Builders Association of the Australian Capital Territory  
Sent via email: [Graciete@pfwork.com.au](mailto:Graciete@pfwork.com.au)



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/74**

Dear Graciete Ferreira,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Master Builders Association of the Australian Capital Territory.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

**What you must do right now**

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

This letter explains these steps and the tools available to help you.

**STEP 1: Notify members**

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



**Can I put more information on our website?**

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](https://www.roc.gov.au).

**STEP 2: Financial training**

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the ROC website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the ROC within 6 months](#) of beginning to hold office.



#### Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

### STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a [template](#) to help you with this, which you can send to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

**Note:** One election may result in many notifications of change.



#### Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

#### ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

## Questions?



### **Why do I need to tell you the results of the election when you've already received them?**

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

### **What if the officer has already done training?**

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

## **Registered Organisations Commission**



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

# Master Builders Association of the Australian Capital Territory

## Master Builders Association of the Australian Capital Territory DECLARATION OF RESULTS - E2022/74 Uncontested Offices

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### 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:

#### Civil Contractor Sector

##### Civil Contractor Representative (1)

Candidates

ZARDO Nick

#### Residential Builder Sector

##### Residential Builder Representative (1)

Candidates

TANCHEVSKI Jason

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

Emma Langridge  
Returning Officer  
Telephone: 03 8639 4810  
Email: IEBevents@aec.gov.au  
28/09/2022

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## DECISION

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

### **Master Builders Association of the Australian Capital Territory** (E2022/74)

MR STEENSON

SYDNEY, 10 MAY 2022

*Arrangement for conduct of election.*

[1] On 11 April 2022 the Master Builders Association of the Australian Capital Territory (the **organisation**) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

#### Sector Representatives

Residential Builder Representative (1)

Civil Contractor Representative (1)

[2] I note that the rule 20 of the organisation's rules operates such that the term lengths of the abovenamed offices are now for three years, as opposed to their previous one-year terms.

[3] Rule 20(e) also provides that members must be notified of the dates of opening and closing of nominations at least 8 weeks prior to the Annual General Meeting (**AGM**). The organisation advised this Commission, at the time of lodging prescribed information, that it intends to hold the AGM on 21 November 2022.

[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

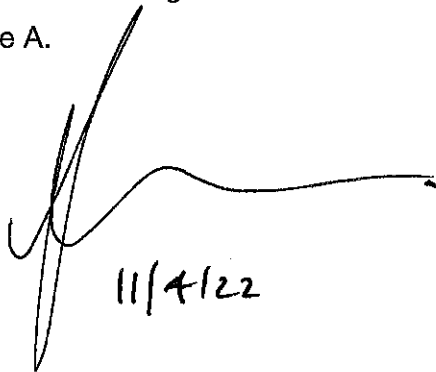
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**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

I, **FRANK PORRECA**, being the **PRESIDENT** of the **MASTER BUILDERS ASSOCIATION OF THE ACT**, make the following statement:

1. I am authorised to sign this statement containing prescribed information for **MASTER BUILDERS ASSOCIATION OF THE ACT**.
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. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed:



Dated:

11/4/22

**ANNEXURE A**

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

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
	Residential Builder Representative	1	DVS	Scheduled	All full and financial Residential Builder Members
	Civil Contractor Representative	1	DVS	Scheduled	All full and financial Civil Contractor Members

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	<i>To be determined by the returning officer</i>	<i>Not applicable</i>
<b>Nominations CLOSE</b>	<i>To be determined by the returning officer</i>	<i>Not applicable</i>
<b>Roll of Voters cut off date</b>	<i>To be determined by the returning officer</i>	<i>Not applicable</i>

Please note: that 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'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.