

4 May 2023

# Post-election report

Master Painters Australia - N.S.W.  
Association Inc.  
Scheduled election  
E2022/239

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# Election(s) Covered in this Report

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Organisation: Master Painters Australia - N.S.W. Association Inc.  
Election: Scheduled  
Election Decision No/s: E2022/239

## Rules

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Rules used for the election: 122N: Incorporates alterations certified on 7 September 2015 in matter R2015/171

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/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details: Rules regarding the delivery method of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. The election was wholly delivered by post as a result.

## Signed

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Ben Murray  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
4 May 2023

# Attachments

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## A. Declaration of results for Uncontested Offices

**Master Painters Australia - N.S.W. Association Inc.**  
**DECLARATION OF RESULTS - E2022/239 - Stage 2**  
**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:

**Council of Management**

**President (1)**

Candidates

TALBOT Daniel

**Vice President (1)**

Candidates

*No Nominations Accepted*

**Secretary (1)**

Candidates

*No Nominations Received*

**Treasurer (1)**

Candidates

*No Nominations Received*

**Industrial Officer (1)**

Candidates

KARAVUS Ekrem

**Education Officer (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.

Ben Murray  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
04/05/2023



3 May 2023

Danny Talbot  
President  
Master Painters Australia - N.S.W. Association Inc.  
Sent via email: [reception@masterpainters.com.au](mailto:reception@masterpainters.com.au)

Dear Danny Talbot



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/239**

An election has recently been completed by the Australian Electoral Commission (AEC) for the Master Painters Australia - N.S.W. Association Inc..

This letter explains the next steps you must take and what information you need to lodge with the Fair Work Commission (the Commission).

**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@fwc.gov.au](mailto:regorgs@fwc.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 (regulation 141). The notice must be on your website for at least three 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 three months. You can always do more than the regulatory minimum.

The Commission will also publish your declaration of results on our [website](#).

## 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 (section 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 Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the Commission](#) **within six 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 Commission within **35 days** of the change occurring.

We have a [template](#) to help you with this, which you can send to [regorgs@fwc.gov.au](mailto:regorgs@fwc.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](#).



### **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@fwc.gov.au](mailto:regorgs@fwc.gov.au).



Yours sincerely

**Fair Work Commission**



The Commission 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 Painters Australia - N.S.W. Association Inc.**  
**DECLARATION OF RESULTS - E2022/239 - Stage 1**  
**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:

**Councillor (14)**

Candidates

DIXON Jonte

FANTICH Simon

FOROUZANDEH Frank

KARAVUS Ekrem

LOVE Jeffrey

PORTOS Juan Polo

TALBOT Daniel

WILLIS Elton

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

Ben Murray  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
12/04/2023





# DECISION

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

**Master Painters Australia - N.S.W. Association Inc.**  
(E2022/239)

MR STEENSON

SYDNEY, 1 FEBRUARY 2023

*Arrangement for conduct of election.*

[1] On 22 December 2022 the *Master Painters Australia - N.S.W. Association Inc.* (**Master Painters**) lodged with the Registered Organisations Commission (**Commission**) prescribed information for an election to fill a number of vacancies in the office of Councillor.

[2] However it became apparent that an election for all offices of Master Painters was due under the rules of the organisation, i.e. not just those requested on 22 December 2022.

[3] Following discussions between staff of the Commission and Master Painters, on 1 February 2023 the organisation lodged revised Prescribed Information seeking an election to fill the following offices for a new term:

Councillors	(14)
President	(1)
Vice President	(1)
Secretary	(1)
Treasurer	(1)
Industrial Officer	(1)
Education Officer	(1)

[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

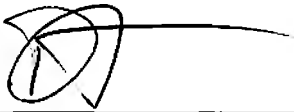
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**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009**

I, **Danny Talbot** being the **President** of the **Master Painters Australia N.S.W. Association Inc.** make the following statement:

1. I am authorised to sign this statement containing prescribed information for **Master Painters Australia N.S.W. Association Inc.**
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.

*Please note: This is an amended Prescribed Information to replace to the Prescribed Information lodged on 22 December 2022.*

Signed:  \_\_\_\_\_

Dated: 1/02/2023

**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](mailto:regorgs@roc.gov.au).

## Annexure A

- Elections that are required:-

<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system; Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	<b>Electorate</b>
Council Members (r.14)	14	Direct Voting System (r.14(1))	Scheduled	<i>Rule 14(1) all members of the Association</i>
President (r.30)	1	Collegiate electoral system (r.14(1))	Scheduled	<i>Rule 14(1) by and from the Council of Management</i>
Vice President (r.32)	1	Collegiate electoral system (r.14(1))	Scheduled	<i>Rule 14(1) by and from the Council of Management</i>
Secretary (r.36)	1	Collegiate electoral system (r.14(1))	Scheduled	<i>Rule 14(1) by and from the Council of Management</i>
Treasurer (r.33)	1	Collegiate electoral system (r.14(1))	Scheduled	<i>Rule 14(1) by and from the Council of Management</i>
Industrial Officer (r.34)	1	Collegiate electoral system (r.14(1))	Scheduled	<i>Rule 14(1) by and from the Council of Management</i>
Education Officer (r.35)	1	Collegiate electoral system (r.14(1))	Scheduled	<i>Rule 14(1) by and from the Council of Management</i>

- Important dates:

	<b>Direct Voting System</b>	<b>Collegiate Electoral System</b>
<b>Nominations OPEN</b>	First Monday of March, Rule 15(1)	Determined by the Returning Officer, Rule 14(1)
<b>Nominations CLOSE</b>	Determined by the Returning Officer, Rule 15(1)	Determined by the Returning Officer, Rule 14(1)
<b>Roll of Voters cut-off date</b>	7 days before nominations open, Rule 15(1)	7 days before nominations open, Rule 15(1)

**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](#).

**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, Danny Talbot, being the President of the Master Painters Australia NSW Association Inc., make the following statement:

1. I am authorised to sign this statement containing prescribed information for Master Painters Australia NSW Association Inc.
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 would impact the elections.
5. Insufficient nominations were received in an earlier election(s) Ref E2021/218.
6. As such we would like to seek your kind approval to fill the vacant positions.

Signed:  .....

Danny Talbot

Dated: 21-12-2022 .....

**ANNEXURE A**

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

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system; Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	<b>Electorate</b>
NSW	Councillors	6	Direct Voting System	Insufficient Nominations	All members of the Association (Rule 14)
<p>Our rules allow for The Council of Management of the Association to consist of 14 members. Currently we have 4 filled positions in Executive Council, 4 filled Committee Members and 6 vacant positions. Our rules are undergoing review and possible changes on term in office is also being looked at.</p> <p>Stage 1 election (Direct Voting system) to be held to fill 6 council members. Stage II election (Collegiate electoral system) to be held to fill positions of Treasurer (1) and Education Officer (1).</p>					

- Important dates:

	<b>Direct Voting System</b>	<b>Collegiate Electoral System</b>
<b>Nominations OPEN</b>	<i>To be determined by Returning Officer</i>	<i>To be determined by Returning Officer</i>
<b>Nominations CLOSE</b>	<i>To be determined by Returning Officer</i>	<i>To be determined by Returning Officer</i>
<b>Roll of Voters cut off date</b>	<i>To be determined by Returning Officer</i>	<i>To be determined by Returning Officer</i>