



DECISION

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

Motor Trades Association of Queensland Industrial Organisation of Employers
(E2024/125)

MR STEENSON

SYDNEY, 14 NOVEMBER 2024

Arrangement for conduct of election.

[1] On 27 September and 13 November 2024, the Motor Trades Association of Queensland Industrial Organisation of Employers (the **organisation**) lodged with the Fair Work Commission (the **Commission**) prescribed information for an election to fill the following offices for a new term of office:

Queensland Farm and Industrial Machinery Dealers Division (QFIMDD)

Division Chair/Division Representative (1)
Division Vice Chair/Division Alternative Representative (1)

Queensland Motor Cycle Industry Division (QMID)

Division Chair/Division Representative (1)
Division Vice Chair/Division Alternative Representative (1)

Tyre and Undercar Division Qld (TUDQ)

Division Chair/Division Representative (1)
Division Vice Chair/Division Alternative Representative (1)

Australian Automobile Dealers Association Queensland (AADA(QLD))

Division Chair/Division Representative (1)
Division Vice Chair/Division Alternative Representative (1)

Automotive Engineers Division (AED)

Division Chair/Division Representative (1)
Division Vice Chair/Division Alternative Representative (1)

National Auto Collision Alliance (NACA)

Division Chair/Division Representative (1)
Division Vice Chair/Division Alternative Representative (1)

Northern District

District Representative (1)

MTA Queensland Board

MTA Queensland Chair (1)

MTA Queensland Vice Chair (1)

[2] In addition, the prescribed information also requested an election under section 187 of the *Fair Work (Registered Organisations) Act 2009* (the **RO Act**) for the following non-office positions:

Queensland Farm and Industrial Machinery Dealers Division (QFIMDD)

Division Committee Members (5)

Queensland Motor Cycle Industry Division (QMID)

Division Committee Members (5)

Tyre and Undercar Division Qld (TUDQ)

Division Committee Members (5)

Australian Automobile Dealers Association Queensland (AADA(QLD))

Division Committee Members (5)

Automotive Engineers Division (AED)

Division Committee Members (10)

National Auto Collision Alliance (NACA)

Division Committee Members (6)

[3] The organisation originally lodged prescribed information on 28 February 2024, which was before the prescribed day as required by regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*, however it subsequently withdrew that prescribed information following discussions with Commission staff. This was due to a perceived defect in the organisation's electoral system (as it then stood), whereby non-offices formed the college for the election of Board members. The deficiency was such that the organisation's rules were potentially non-compliant with sections 6 and 143 of the RO Act.

[4] The organisation then acted promptly to amend its rules, and rule alterations were certified by the Commission on 12 September 2024.¹ The organisation then lodged the prescribed information for this election shortly thereafter, on 27 September 2024, and provided amended prescribed information (in particular, the request for election of non-office positions) on 13 November 2024.

¹ R2024/97 [2024] FWCD 1043.

[5] I am satisfied that an election for the abovenamed **office and non-office positions** is required to be held under the rules of the organisation and, under subsection 189(3) of the RO Act, I am making arrangements for the conduct of the election by the Australian Electoral Commission (the AEC).

[6] As this election has been significantly delayed due to the reasons outlined above, I request that the AEC endeavour to conduct the ballot for this election as expeditiously as is practicable in the circumstances.



DELEGATE OF THE GENERAL MANAGER

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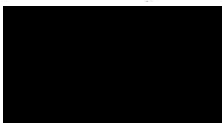
PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 of the *Fair Work (Registered Organisations) Act 2009* and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*, with a request under Section 187 of the *Fair Work (Registered Organisations) Act 2009*

I, Grant Harrison, being Secretary of Motor Trades Association of Queensland, Industrial Organisation of Employers (MTA Queensland) make the following statement:

1. I am authorised to sign this statement containing prescribed information for Motor Trades Association of Queensland, Industrial Organisation of Employers (MTA Queensland) The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).
2. The elections that are required are set out in the table in Annexure B.
3. A copy of the request under section 187 for the AEC to conduct an election for any non-office positions is attached (see Annexure A).
4. No rule alterations are pending that will impact the election.
5. This statement IS NOT lodged at least 2 months before nominations open for the election(s) in Annexure B. The reason it is lodged after the prescribed time is:

Our original request was lodged within 2 months before nominations open for the elections in Annexure B. The application was withdrawn pending a Rule Change application impacting the election process.

Signed:



Dated: 13.11.2024

NOTE: This statement, together with Annexures A and B, must be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted by email to regorgs@fwc.gov.au.



11 November 2024

Dear Electoral Commissioner

I, Grant Harrison, am writing to request, pursuant to subsection 187(1) of the *Fair Work (Registered Organisations) Act 2009*, that the Australian Electoral Commission conduct an election for those positions listed in the table in Annexure B which are not offices, but which require an election under the rules of our organisation.

I confirm I am an officer of the Motor Trades Association of Queensland, Industrial Organisation of Employers (MTA Queensland) who is authorised by the Committee of Management to sign this request.

Signed:



Dated: 13 November 2024

Motor Trades Association Queensland

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Annexure B

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

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
For the election of officers					
MTA Queensland	Queensland Farm and Industrial Machinery (QFIMDD) Vice Chair/Alternate Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Queensland Farm and Industrial Machinery (QFIMDD) Chair Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Queensland Motor Cycle Industry Division (QMID)	1	Direct Voting System	Scheduled	Division Rule 4.7

	Vice Chair/Alternate Division Representative				
MTA Queensland	Queensland Motor Cycle Industry Division Chair/ Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Tyre and Undercar Division Qld Vice Chair/Alternate Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Tyre and Undercar Division Qld Chair/ Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Australian Automotive Dealers Association Qld (AADA(Q) Vice Chair/Alternate Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
	Australian Automotive Dealers Association Qld	1	Direct Voting System	Scheduled	Division Rule 4.7

	(AADA(Q) Chair/Division Representative				
	Automotive Engineers Division (AED) Vice Chair/Alternate Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
	Automotive Engineers Division (AED) Chair/Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
	National Auto Collision Alliance (NACA) Vice Chair/Alternate Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
	National Auto Collision Alliance (NACA) Chair/Division Representative	1	Direct Voting System	Scheduled	Division Rule 4.7
	District Representative Northern District	1	Direct Voting System	Scheduled	District Rule 5.3

	MTA Queensland Chair	1	Collegiate Electoral System	Scheduled	MTA Queensland Board Rule 6.3(c)
	MTA Queensland Vice Chair	1	Collegiate Electoral System	Scheduled	MTA Queensland Board Rule 6.3(c)
For the election of non-office positions					
MTA Queensland	Queensland Farm and Industrial Machinery (QFIMDD) Committee	5	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Queensland Motor Cycle Industry Division (QMID) Committee	5	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Tyre and Undercar Division Qld (TUDQ) Committee	5	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Australian Automotive Dealers Association Qld (AADA(Q) Committee	5	Direct Voting System	Scheduled	Division Rule 4.7
MTA Queensland	Automotive Engineers Division (AED) Committee	10	Direct Voting System	Scheduled	Division Rule 4.7

	National Auto Collision Alliance (NACA) Committee	6	Direct Voting System	Scheduled	Division Rule 4.7
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- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	As the date has now passed, to be determined by the returning officer	As the date has now passed, to be determined by the returning officer. Preference as soon as possible as the commencement of term in office would normally be at our AGM 22 November 2024
Nominations CLOSE	As the date has now passed, to be determined by the returning officer	As the date has now passed, to be determined by the returning officer. Preference as soon as possible as the commencement of term in office would normally be at our AGM 22 November 2024
Roll of Voters cut off date	As the date has now passed, to be determined by the returning officer	As the date has now passed, to be determined by the returning officer. Preference as soon as possible as the commencement of term in office would normally be at our AGM 22 November 2024