



DECISION

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

Motor Traders' Association of New South Wales
(E2026/26)

MR STEENSON

SYDNEY, 18 FEBRUARY 2026

Arrangement for conduct of election.

[1] On 5 February 2026 the Motor Traders' Association of New South Wales (the **organisation**) lodged with the Fair Work Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Executive Board Member

(1)

[2] The officer whose resignation gave rise to the casual vacancy also held another role, as an Advisory Councillor for the Illawarra. On 18 February 2026, the organisation confirmed that this other role is a non-office position and an election for that position is not presently sought.¹

[3] I am satisfied that an election for the abovenamed office 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 GENERAL MANAGER

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¹ Under section 187 of the RO Act, an organisation may request that the AEC conduct elections for non-office positions but is not obliged to – as distinct from the requirement in sections 183 and 189 that elections for office must be conducted by the AEC unless a specific exemption has been granted (under section 186 of the RO Act). In addition, rule 30(13) of the MTA NSW limits when casual vacancies in these non-office positions are filled.



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, **John Young** being a President of the **Motor Traders' Association of New South Wales** make the following statement:

1. I am a President of the **Motor Traders' Association of New South Wales (MTA NSW)**. I am authorised to sign this statement containing prescribed information concerning the forthcoming elections of the Motor Traders' Association of New South Wales.
2. I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The terms of the current offices of the organisation are scheduled to expire in the normal course of event under the Rules of the organisation.

The following information for the election is provided:

a) The offices to be elected are:

- (i) Office Bearers: One (1) in total. **Rule 32 and the Part 2 of the Schedule "Rules for the Conduct of Elections of Statutory Officers"**;

b) The election is necessary as Mr David Marston an Executive Board member and Office Holder who took office at the Annual General Meeting held on the **17th May 2024** resigned effective on the **20th November 2025**. This resignation has created a casual vacancy on the Executive Board. The existing term of office of the Executive Board is due to expire in accordance with Rule 32 (3)(a) being at the Annual General Meeting of the Association due to be held in 2028 being the fourth (4th) Annual General Meeting following the Annual General Meeting at which the current Executive Board member took office.

c) The Association's Rules and Schedule set out the election process for the positions as follows:

- Executive Board members are elected from Advisory Councillors of the Association who are elected as set out in **Rule 30**.
- Any casual vacancy on the Executive Board must be filled in accordance with **Rule 32 (5)**

When nomination opening time is declared MTA NSW will be able to provide details of the numbers of members of the Association eligible to vote.

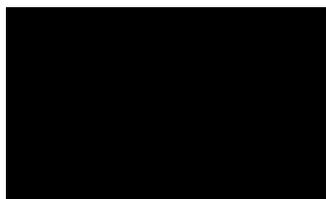
d) **Rule 12.1** of the “**Rules for the Conduct of Elections of Statutory Officers**” provides that the roll of voters is to close seven (7) days before the date of commencement of the period for lodging nominations. **Rule 6.1** of the “**Rules for the Conduct of Elections of Statutory Officers**” provide a timetable for the date for commencement of nominations. In addition, **Rule 4** of the “**Rules for the Conduct of Elections of Statutory Officers**” require the MTANSW to publish an election’s Notice by no later than the opening of Nominations.

e) The voting system:

- The Advisory Councillors is the first stage of a voting system with voting directly by the members of MTA NSW;
- The Executive Board is the second stage of a voting system with voting directly by the members of MTA NSW.

4. This statement **IS** lodged at least 2 months before nominations open for the election as per the timetable under the Rules for the Conduct of Elections of Statutory Officers.

Signed:



John Young (President)

Dated:

5th February, 2026