



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: The Master Builders' Association of New South Wales

Contact details: Brian Siedler
Executive Director
52 Parramatta Road
FOREST LODGE NSW 2037

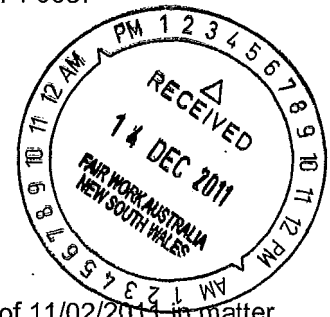
Email: executive@mbansw.asn.au
Tel: 02 8586 3555

AIR contact officer: Carolyn Moloney

Email: carolyn.moloney@fwa.gov.au
Tel: 02 8374 6637

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2011/2628



RULES

Rules used for elections Rule ID: [070N: Incorporates alterations of 11/02/2011 in matter R2011/8]

Rules difficult to apply/interpret: Rule 19.9 The rules pertaining to the election of The Executive members of Council do not appear to provide a method of resolving a tied vote.

ROLL OF VOTERS

Executive Officers :

Total number of voters on the Roll	28
Number of apparent workplace addresses	28 - 100%
Number of non-current addresses	0
Other Matters	Nil

Services Sector :

Total number of voters on the roll	362
Number of apparent workplace addresses	362 - 100%
Number of non-current addresses	0
Other Matters	Nil

As no other Regions or Sectors where contested no other rolls were requested.

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC:	None
Other irregularities identified, and action taken:	None

ATTACHMENTS

- A:** Stage 1 Declaration of Results Executive Officers
- B:** Stage 2 Declaration of Results Councillors
- C:** Stage 2 Declaration of Results Councillors – Recall

A handwritten signature in black ink that reads "K. Montgomery". The signature is written in a cursive, flowing style.

Kathryn Montgomery
Returning Officer
Australian Electoral Commission
14 December 2010

**The Master Builders' Association of New South Wales
Executive Officers**

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

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.

E2011/E2628

Council of Management

Total number of persons on the roll of voters	28
Ballot papers issued	28
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	28
Ballot papers / envelopes returned for scrutiny	27
Less ballot papers / envelopes rejected at preliminary scrutiny	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	27
Percentage of ballot papers returned to number issued	96%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	1

Vice-Presidents (4)

<u>Candidates</u>	<u>Votes</u>
WORTHINGTON, John	141
WEBBER, Simon	131
MITCHELL, Ross	67
PILCHER, Simon	81
O'DONNELL, Michael	109
PATIENCE, Martin	92
NASH, Scott	107
Total votes	728
Formal ballot papers	26
Informal ballot papers	1

I declare Ross Mitchell, Simon Pilcher, Martin Patience and Scott Nash elected

President

Candidate

LEGGETT, Gordon

I declare Gordon Leggett elected.

Deputy President

Candidate

MAGINNITY, Paul

I declare Paul Maginnity elected.

K. Montgomery

Kathryn Montgomery
Returning Officer
Australian Electoral Commission
6 October 2011



**The Master Builders' Association of New South Wales
Councillors - Regional and Sector Groups**

FINAL DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

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.

E2011/E2628

Regional Groups

Councillors - North Coast and Tweed Regional Group (2)

Candidate

DALTON, Kevin James

I declare Kevin James Dalton elected.
No other nominations received.

Councillors - Manning Great Lakes, Mid North Coast, North North West and Oxley Regional Group (2)

Candidates

CORK, Jeffrey Raymond
VITTALI, Giovanni A

I declare Jeffrey Raymond Cork and Giovanni A Vittali elected.

Councillors - Murrumbidgee Irrigation Area, Murray, Riverina and Shoalhaven Regional Group (2)

Candidates

No candidates elected.

Councillors - Central Coast and Hunter Regional Group (2)

Candidates

AUSTIN, Ken
WEBBER, Simon

I declare Ken Austin and Simon Webber elected.

Councillors - Sydney Regional Group (2)

Candidates

No candidates elected.

Councillors - Eastern Suburbs, St George, Canterbury/Bankstown and Cronulla/Sutherland Regional Group (2)

Candidate

CLARK, Anthony David

I declare Anthony David Clark elected.
No other nominations received.

Councillor - Parramatta/Hume, Central Cumberland, Western Suburbs and Blue Mountains Regional Group (2)

Candidate

ROSTIROLLA, John

I declare John Rostirolla elected.
No other nominations received.

Councillors - Manly Warringah and Northern Suburbs Regional Group (2)

Candidates

HAACK, Peter Anthony
*TAYLOR, William Donald M

I declare Peter Anthony Haack and William Donald M Taylor elected.

Councillors - Central Western and Orana Regional Group (2)

Candidates

No candidates elected.

Councillors - Illawarra and Southern Highlands Regional Group (2)

Candidates

CALDERBANK-PARK, Christopher
SAURINE, Ian

I declare Christopher Calderbank-Park and Ian Saurine elected.

Sector Group

Services Sector Total number of persons on the roll of voters	362
Ballot papers issued	362
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	362
Ballot papers / envelopes returned for scrutiny	54
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	53
Percentage of ballot papers returned to number issued	14%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	308

Councillors Services Sector Group (2)

Candidates

	<u>Votes</u>
*TAYLOR, William Donald M	30
CARDEN, Raymond	27
WORTHINGTON, John	43
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	100
Formal ballot papers	50
Informal ballot papers	3

*William Donald M Taylor and John Worthington elected.
*In accordance with Rule 14.24 William Taylor elected to remain in the position of Councillor Manly Warringah and Northern Suburbs Regional Group.
Therefore, in accordance with Rule 14.24, I declare Raymond Carden and John Worthington elected.

Councillors General Contracting Sector Group (2)

Candidates

No candidates elected.

Councillors Specialist Contractors Sector Group (2)

Candidate

LABY, John

I declare John Laby elected.
No other nominations received.

Councillors Housing Sector Group (2)

Candidates

BRACKEN, Ronald Arthur
O'DONNELL, Michael Kevin

I declare Ronald Arthur Bracken and Michael Kevin O'Donnell elected.

Councillors Major Contractors Sector Group (2)

Candidates

No candidates elected.

Councillors Material Manufacture Sector Group (2)

Candidates

HARRISON, John Alexander
MORRIS, John Robert

I declare John Alexander Harrison and John Robert Morris elected.

K. Montgomery

Kathryn Montgomery
Returning Officer
Australian Electoral Commission
14 December 2011



The Master Builders' Association of New South Wales Regional and Sector Group Councillors Recall

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2011/E2628

Regional Groups

Councillor - North Coast and Tweed Regional Group

No nomination was received

Councillor - Murrumbidgee Irrigation Area, Murray, Riverina and Shoalhaven Regional Group

(2)

No nominations were received

Councillor - Sydney Regional Group (2)

Candidate

STUART, James

No further nomination was accepted

Councillor - Eastern Suburbs, St George, Canterbury/Bankstown and Cronulla/Sutherland Regional Group

No nomination was received

Councillor - Parramatta/Hume, Central Cumberland, Western Suburbs and Blue Mountains Regional Group

No nomination was received

Councillor - Central Western and Orana Regional Group (2)

No nominations were received

Sector Group

Councillors General Contracting Sector Group (2)

Candidate

BLACK, Robert William

No further nomination was accepted

Councillors Services Sector Group

No nomination was received

Councillors Major Contractors Sector Group (2)

No nominations were received

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



Kathryn Montgomery
Returning Officer
Australian Electoral Commission
14 December 2011





Fair Work Australia

5 August 2011

Mr Brian Seidler
Executive Director
The Master Builders' Association of New South Wales
Private Bag 9
BROADWAY NSW 2007

Dear Mr Seidler

**Re: Arrangements for the conduct of an Election
(E2011/2628)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

Carolyn Moloney
Fair Work Australia



Fair Work
Australia

DECISION

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

The Master Builders' Association of New South Wales
(E2011/2628)

T. NASSIOS

MELBOURNE, 5 AUGUST 2011

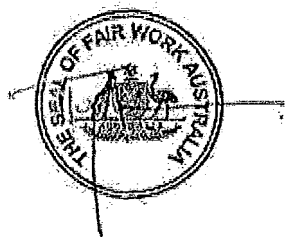
Arrangement for conduct of election.

[1] On 2 August 2011 The Master Builders' Association of New South Wales lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

President (honorary)	(1)
Deputy President (honorary)	(1)
Vice Presidents (honorary)	(4)

Two (2) Councillors from each of the following Regional and Sector Groups: (See Attachment "A")

[2] 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 General Manager
Fair Work Australia

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Attachment "A"

Regional Groups

North Coast and Tweed Regional Group

Manning Great Lakes, Mid North Coast, North North West and Oxley Regional Group

Murrumbidgee Irrigation Area, Murray, Riverina and Shoalhaven Regional Group

Central Coast and Hunter Regional Group

Sydney Regional Group

Eastern Suburbs, St George, Canterbury/Bankstown and Cronulla/Sutherland Regional Group

Parramatta/Hume, Central Cumberland, Western Suburbs and Blue Mountains Regional Group

Manly Warringah and Northern Suburbs Regional Group

Central Western and Orana Regional Group

Illawarra and Southern Highlands Regional Group

Sector Groups

General Contracting Sector Group

Specialist Contractors Sector Group

Housing Sector Group

Services Sector Group

Major Contractors Sector Group

Material Manufacture Sector Group

MOLONEY, Carolyn

From: MOLONEY, Carolyn
Sent: Friday, 5 August 2011 2:47 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2628
Attachments: E2011_2628 MBA Signed Decision_05082011.pdf; E2011_2628 MBANSW letter to AEC_05082011.pdf

Dear AEC

Please find attached a copy of the Decision for the upcoming election of the Master Builders Association of New South Wales (E2011/2628).

Kind regards,

CAROLYN MOLONEY
RIA Team Administrative Officer

Fair Work Australia
Tel: 02 8374 6637
Fax: 02 9380 6990
carolyn.moloney@fwa.gov.au

Level 8, Terrace Tower, 80 William Street
East Sydney NSW 2011

www.fwa.gov.au



FAIR WORK
AUSTRALIA

5 August 2011

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2011/2628

RE: THE MASTER BUILDERS' ASSOCIATION OF NEW SOUTH WALES

Positions:

See Decision

Relevant Information: Scheduled biannual election.

Contact: Brian Seidler
Executive Director
The Master Builders' Association of New South Wales

Phone: (02) 8586 3555

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au

David Vale
Fair Work Australia

MOLONEY, Carolyn

From: MOLONEY, Carolyn
Sent: Tuesday, 2 August 2011 3:11 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2628
Attachments: MBA E2011_2628_PI lodged_02082011.pdf; 070N_MBANSW_R2011_8_11022011.pdf

Dear AEC

Please find attached prescribed information and a copy of the current rulebook for the Master Builders Association of New South Wales, for an upcoming election (E2011/2628).

Kind regards,

CAROLYN MOLONEY
RIA Team Administrative Officer

Fair Work Australia
Tel: 02 8374 6637
Fax: 02 9380 6990
carolyn.moloney@fwa.gov.au

Level 8, Terrace Tower, 80 William Street
East Sydney NSW 2011

www.fwa.gov.au

E2011/2628



**Master
Builders
Association**

New South Wales

2 August 2011

NSW Services Manager
Fair Work Australia
Level 8
80 William Street
EAST SYDNEY NSW 2001



By email: sydney@fwa.gov.au

Dear Sir/Madam,

RE: MASTER BUILDERS ASSOCIATION OF NSW – ANNUAL ELECTIONS

Please find attached the prescribed information in respect of an election offices and positions for the Master Builders Association of NSW.

The information supplied is in accordance with that set out in Sub-section 189(1) of the Fair Work (Registered Organisations) Act, 2009.

Should you require any further information please do not hesitate to contact the undersigned on (02) 8586-3555.

Yours faithfully,

Brian Seidler
EXECUTIVE DIRECTOR

Attachs.

FAIR WORK (REGISTERED ORGANISATIONS) Act, 2009

STATEMENT and NOTICE OF PRESCRIBED INFORMATION

I, Brian Seidler, Executive Director of the Master Builders Association of New South Wales make the following statement:

1. I am the Executive Director of the Master Builders Association of NSW,
2. I am authorised to lodge the following prescribed information concerning the forthcoming elections in the Master Builders Association of NSW, and
3. I confirm that the following information is being lodged under sub-section 189 (1) of the Fair Work (Registered Organisations) Act, 2009.

Signed:



Dated: 2 August 2011

Offices/positions

<i>A</i>	<i>President – Direct Voting System (DVS)</i>
	<i>Deputy President - (DVS)</i>
	<i>Vice Presidents (4) – DVS</i>
<i>B</i>	<i>Councillors (2) from each Regional Group (DVS,) as identified in Attachment 1</i>
<i>C</i>	<i>Councillors (2) from each Sector Group (DVS,) as identified in Attachment 1</i>

Reasons for election:

Election for offices and positions marked A,B and C above is required as the terms of the office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- (i) The electorate for the direct voting system for the election for the offices of President, Deputy President and four (4) Vice-Presidents of the Association (marked A above), is the members of the Council of the Association.
- (ii) The electorate in respect of the two (2) Councillors from each Regional Group (marked B above), is the members of that Regional Group; and
- (iii) The electorate in respect of the two (2) representatives of each of the Sector Groups (marked C above), is the members of those Sector Groups.

Nominations open:

- (i) Nominations for those identified in A above, are to open at least six (6) weeks prior to the October Council meeting; and
- (ii) Nominations for those identified in B and C above, are to open at least six (6) weeks prior to the Annual General Meeting.

Nominations close:

- (i) Nominations for those identified in A above, close at 10 am on the 28th day prior to the October meeting of Council.
- (ii) Nominations for those identified in B and C above, close at 10 am on the 28th day prior to the Annual General Meeting, 2nd Tuesday in December.

Cut off date for roll:

- The roll of voters for the election shall close 7 days before the date on which nominations open.

ATTACHMENT 1

For the purposes of the Association's elections with regard to Regional and Sector Groups of the Master Builders Association of NSW, please find below a list of the various regional and sector groups of the Master Builders Association of NSW:

- North Coast and Tweed Regional Group; Manning Great Lakes, Mid North Coast, North North West and Oxley Regional Group; Murrumbidgee Irrigation Area, Murray, Riverina and Shoalhaven Regional Group; Central Coast and Hunter Regional Group; Sydney Regional Group; Eastern Suburbs, St George, Canterbury/Bankstown and Cronulla/Sutherland Regional Group; Parramatta/Hume, Central Cumberland, Western Suburbs and Blue Mountains Regional Group; Manly Warringah and Northern Suburbs Regional Group; Central Western and Orana Regional Group; Illawarra and Southern Highlands Regional Group.
- General Contracting Sector Group; Specialist Contractors Sector Group; Housing Sector Group; Services Sector Group; Major Contractors Sector Group; Material Manufacture Sector Group.

