



20 January 2020

Brian Seidler
Executive Director
The Master Builders' Association of New South Wales
Sent via email: bseidler@mbansw.asn.au

Dear Brian Seidler,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of stages 1 and 2 and recall for contested and uncontested offices in matter E2019/80. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must, as soon as practicable after receiving the post-election report, publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are provided for in the RO Act.

Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Master Builders' Association of New South Wales must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;

- the name of the person now holding the office;
- the postal address of the person (generally the postal address of the organisation); and
- the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Yours sincerely

Registered Organisations Commission

3 January 2020

Post-election report

The Master Builders' Association of New
South Wales
Scheduled Election
E2019/80

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Election(s) Covered in this Report

Organisation: The Master Builders' Association of New South Wales
Election: Scheduled Election
Election Decision No/s: E2019/80

Rules

Rules used for the election: [070N: Incorporates alterations of 24 June 2019 R2019/28]
Replaces rulebook dated 13/01/2014 [R2013/96]

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:
(https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

Roll of Voters

Total number of voters on the Roll: Stage 1 – Office Bearers 31
Stage 2 – Group Councillors: 1976

Number of apparent workplace addresses: Stage 1 – Office Bearers: 16
Stage 2 – Group Councillors: 719

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

Irregularities

Details of written allegations of irregularities, Nil
and action taken by AEC:

Other irregularities identified, and action taken: Nil

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

Rule 14.11 The Returning Officer shall, within fourteen days after the closing date for nominations, forward by prepaid post to every member entitled to vote at the election, a ballot paper. This is not sufficient time taking into account withdrawal of nominations, rectifying defects, preparation of ballot papers and biographies and postage times. Therefore, direction was given by the Returning Officer that the period between close of nominations and posting ballot material was to be 21 days.

Rule 14.7.1 states "A person nominating for any office may withdraw the nomination in writing to the Returning Officer by the close of the nomination period."
and

Rule 14.7.2 stating "Notification of withdrawal: A member nominating for any office may withdraw the nomination by notice in writing to the Returning Officer up to, but not later than 7 days after the close of nominations."

As these rules contradict each other the Returning Officer directed that Rule 14.7.2 would apply and 7 days was given after the close of nominations for the withdrawal of nominations.

Signed



Catherine Bernoth
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6375
3 January 2020

Attachments

Declaration of results for Contested and Uncontested Offices – Stage 1: Office Bearers

Declaration of Results for Uncontested Offices – Stage 2: Group Councillors

Declaration of Results for Contested Offices – Stage 2: Group Councillors

Declaration of Results for Uncontested Offices – Recall: Group Councillors

The Master Builders' Association of New South Wales

DECLARATION OF RESULTS - E2019/80 - Stage 2

Uncontested Offices

Recall 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:

North Coast and Tweed Regional Group

Regional Group Councillor (1)

Candidates

HENDERSON John

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

Regional Group Councillor (1)

Candidates

No Nominations Received

Murrumbidgee Irrigation Area, Murray, Riverina and Shoalhaven Regional Group

Regional Group Councillors (2)

Candidates

No Nominations Received

Sydney Regional Group

Regional Group Councillors (2)

Candidates

No Nominations Received

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

Regional Group Councillors (2)

Candidates

GIAOURIS Stanley

Illawarra and Southern Highlands Regional Group

Regional Group Councillor (1)

Candidates

No Nominations Received

General Contracting Sector Group

Sector Group Councillor (1)

Candidates

RENCH George

Housing Sector Group

Sector Group Councillor (1)

Candidates

BIAZZO John

Major Contractors Sector Group

Sector Group Councillor (1)

Candidates

No Nominations Received

Material Manufacture Sector Group

Sector Group Councillors (2)

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.

C Bernoth .

Catherine Bernoth
Returning Officer
Telephone: 02 9375 6375
Email: nswelections@aec.gov.au
12/12/2019

The Master Builders' Association of New South Wales

DECLARATION OF RESULTS - E2019/80 - Stage 2

Contested Offices

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:

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

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	1,567
Number of voters issued with voting material	1,567
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	1,567
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	120
Number of declaration envelopes rejected at preliminary scrutiny (minus)	4
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	116
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	8
Voting material packs not returned by voters by closing date of the ballot	1,439
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	8 %

Regional Group Councillors (2)

<u>Candidates</u>	<u>Final Votes</u>
CALOKERINOS, William	69
BIAZZO, John	56
STANTON, Leo	65

Total ballot papers admitted for this office	116
Formal Ballot papers	95
Informal Ballot papers	21

I declare the following elected:

- CALOKERINOS, William
- STANTON, Leo

Services Sector Group

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	409
Number of voters issued with voting material	409
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	409
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	57
Number of declaration envelopes rejected at preliminary scrutiny (minus)	5
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	52
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	8
Voting material packs not returned by voters by closing date of the ballot	344
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	14 %

Sector Group Councillors (2)

Candidates	Final Votes
FINNANE, Peter	32
LABY, John	21
WORTHINGTON, John	28
FINNIE, Ross	17

Total ballot papers admitted for this office	52
Formal Ballot papers	49
Informal Ballot papers	3

I declare the following elected:

- FINNANE, Peter
- WORTHINGTON, John



Catherine Bernoth
Returning Officer
Telephone: 02 9375 6375
Email: nswelections@aec.gov.au
03/12/2019

The Master Builders' Association of New South Wales

DECLARATION OF RESULTS - E2019/80 - Stage 2

Uncontested Offices

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:

Regional Group Councillors

North Coast and Tweed Regional Group

Councillors (2)

Candidates

ANDERSON Ian William

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

Councillors (2)

Candidates

MAGGS Brad

Murrumbidgee Irrigation Area, Murray, Riverina and Shoalhaven Regional Group

Councillors (2)

Candidates

No Nominations Accepted

Central Coast and Hunter Regional Group

Councillors (2)

Candidates

GARRARD Bradley

MILLER Doug

Sydney Regional Group

Councillors (2)

Candidates

No Nominations Accepted

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

Councillors (2)

Candidates

No Nominations Received

Manly Warringah and Northern Suburbs Regional Group

Councillors (2)

Candidates

CAMPBELL David

TAYLOR Bill

Central Western and Orana Regional Group

Councillors (2)

Candidates

CROWFOOT Stuart

DILLON David John

Illawarra and Southern Highlands Regional Group

Councillors (2)

Candidates

JEWELL Colin

Sector Group Councillors

General Contracting Sector Group

Councillors (2)

Candidates

LEGGETT Gordon

Specialist Contractors Sector Group

Councillors (2)

Candidates

MITCHELL Ross W

MURPHY Daniel J

Housing Sector Group

Councillors (2)

Candidates

LARTER Anthony

Major Contractors Sector Group

Councillors (2)

Candidates

EDWARDS Paul

Material Manufacture Sector Group

Councillors (2)

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.



Catherine Bernoth
Returning Officer
Telephone: 02 9375 6375
Email: nswelections@aec.gov.au
11/11/2019

The Master Builders' Association of New South Wales

DECLARATION OF RESULTS - E2019/80 - Stage 1

Uncontested and Contested Offices

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:

Executive Committee

President (1)

Candidates

PILCHER Simon

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

Deputy President (1)

Candidates

BLACK Bob

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

Vice President – Ballot (4)

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	31
Number of voters issued with voting material	31
Total number of voters issued with replacement voting material	1
Total number of voting material packs issued	32
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	20
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	20
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	12
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	65 %

Vice President (4)

<u>Candidates</u>	<u>Final Votes</u>
MAMASIOULAS, Frank	77
JEWELL, Colin	59
WORTHINGTON, John	79
O'DONNELL, Michael	55
BANKS, Michael	30

Total ballot papers admitted for this office	20
Formal Ballot papers	20
Informal Ballot papers	0

I declare the following elected:

- BANKS, Michael
- O'DONNELL, Michael
- JEWELL, Colin
- MAMASIOULAS, Frank



Catherine Bernoth
Returning Officer
Telephone: 02 9375 6375
Email: nswelections@aec.gov.au
14/10/2019



DECISION

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

The Master Builders' Association of New South Wales (E2019/80)

MR ENRIGHT

MELBOURNE, 20 JUNE 2019

Arrangement for conduct of election.

[1] On 24 May 2019 the Master Builders' Association of New South Wales, The lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President	(1)
Deputy President	(1)
Vice President	(4)

Regional Group Councillors

Two (2) Councillors from each of the following 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 Group Councillors

Two (2) Councillors from each of the following Sector Groups:

General Contracting Sector Group

Specialist Contractors Sector Group

Housing Sector Group

Services Sector Group

Major Contractors Sector Group

Material Manufacture Sector Group

[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 COMMISSIONER

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**Master
Builders
Association**
New South Wales

24 May 2018

Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

Your reference: E2019/80

By email: regorgs@roc.gov.au

Dear Sir/Madam,

**RE: MASTER BUILDERS ASSOCIATION OF NSW – SCHEDULED ELECTIONS
2019**

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

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

Yours faithfully,

A handwritten signature in black ink, appearing to read "Brian Seidler".

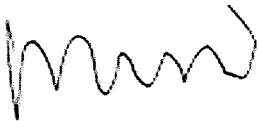
Brian Seidler
EXECUTIVE DIRECTOR

Attachs.

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, Martin Patience, being the President of the Master Builders Association of NSW make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Master Builders Association of NSW.
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 elections in Annexure A.



Signed: Martin Patience

Dated: 21 May 2019

Annexure A

Election Stage I

Organisation	Name of Office	Number required	Voting System	Reason for Election	Electorate
MBA/NSW	President	1	Direct Voting System	Scheduled	Members of Council of Management
MBA/NSW	Deputy President	1	Direct Voting System	Scheduled	Members of Council of Management
MBA/NSW	Vice President	4	Direct Voting System	Scheduled	Members of Council of Management

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	At least 6 weeks prior to October '19 Council of Management Meeting (Clause 18).	n/a
Nominations CLOSE	At 10am on 28 th day prior to October '19 Council of Management Meeting (Clause 18).	n/a

Annexure A ...cont/

Election Stage II

Organisation	Name of Office	Number required	Voting System	Reason for Election	Electorate
MBA/NSW	Councillors from each Regional Group	2	Direct Voting System	Scheduled	Members of the particular Regional Group (see Attachment I)
MBA/NSW	Councillors from each Sector Group	2	Direct Voting System	Scheduled	Members of the particular Sector Group (see Attachment I)

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	At least 6 weeks prior to the Annual General Meeting (Clause 14.4.1.).	n/a
Nominations CLOSE	At 10am on 28 th day prior to Annual General Meeting (Clause 14.7.).	n/a
Roll of Voters cut off date	7 days prior to the date on which nominations open (Clause 14.4.2.).	

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.