Australian Electoral Commission AEC

Workplace Relations Act 1996 – Schedule 1B RETURNING OFFICER - POST ELECTION REPORT

Client: The Master Builders' Association of Tasmania

<u>Contact details:</u> Chris Atkins <u>Email:</u> chris@mbatas.org.au

Executive Director Tel: (03) 6234 3810

MBAT

GPO Box 992 Hobart Tas 7001

AIR contact officer: Larry Powell <u>Email</u>: industrial.elections@air.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: (E2005/73)

Election: Stage One: Regional Management Committees

Stage Two: Regional Executive Members

Stage Three: State Councillors & Accreditation, Committee Members
Stage Four: Office Bearers & Investment, Committee Chairman

Returning Officer: Peter Weldon

RULES

Rules used for elections Rule ID: [004T-FED: Incorporates alterations of 7/05/2004] [R2004/184]

<u>Rule/s re eligibility to vote:</u> Stage One: Schedule II 6

Stage Two: Schedule II 8
Stage Three: Rule 15(a)

Stage Four: Rule 15 (a)(vi), Rule 25(a)(iii)

ROLL OF VOTERS

Total number of voters on the roll:	Stage One:	124
	Stage Two:	8
	Stage Three:	423
	Stage Four:	14
	(Recall)	

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities

ATTACHMENTS

Α	Declaration of Results for Uncontested and Contested Offices	[Stage One]
<u>B</u>	Declaration of Results for Uncontested and Contested Offices	[Stage Two]
<u>C</u>	Declaration of Results for Uncontested and Contested Offices	[Stage Three]
D	Declaration of Results for Uncontested Offices	[Stage Four]
<u>E</u>	Declaration of Results for Contested Offices	[Stage Four (Recall)]

Peter Weldon Returning Officer

19 September 2005

The Master Builders' Association of Tasmania Stage 1 Elections - Regional Management Committees

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

Results of the elections for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/73

Southern Region

Regional Management Committee Member (4)

Candidates

BENNETT, Andrew Norman GLANVILLE, Scott Colin KEATING, Graham Francis ROSEVEAR, John Alan

I declare Andrew Norman Bennett, Scott Colin Glanville, Graham Francis Keating and John Alan Rosevear elected.

Northern Region

Regional Management Committee Member (4)

Candidates

GRAY, David Simon MURRAY, David THURLOW, Phillip WATTS, Phillip John

I declare David Simon Gray, David Murray, Phillip Thurlow and Phillip John Watts elected.

North-Western Region

Total number of persons on the roll of voters	124
Ballot papers issued	124
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	124
Ballot papers / envelopes returned for scrutiny	42
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	42
Percentage of ballot papers returned to number issued	33%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	82

Regional Management Committee Member (4)

<u>Candidates</u>	Votes
BIGGS, Stephen John MEAD, Tim TRELOAR, Ronald BARNES, Grant LICHT, Wayne	28 39 27 36 38
Total votes Formal ballot papers	168 42 0

I declare Grant Barnes, Stephen John Biggs, Wayne Licht and Tim Mead elected.

Peter Weldon Returning Officer Australian Electoral Commission 14 June 2005

The Master Builders' Association of Tasmania Stage 2 Elections - Regional Executive Members

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/73

Southern Regional Management Committee

Total number of persons on the roll of voters	8
Ballot papers issued	8
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	8
Ballot papers / envelopes returned for scrutiny	8
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	8
Percentage of ballot papers returned to number issued	100%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	0

Regional Chairman

<u>Candidates</u>	<u>Votes</u>
MANSFIELD, Ian Clifford ROSEVEAR, John A	6
	_
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	8
Formal ballot papers	8
Informal ballot papers	0

I declare Ian Clifford Mansfield elected.

Northern Regional Management Committee

Regional Vice-Chairman

Candidate

ANSTIE, Andrew

I declare Andrew Anstie elected.

North Western Regional Management Committee Regional Chairman

Candidate

MATTHEWS, Phillip John

I declare Phillip John Matthews elected.

Peter Weldon Returning Officer Australian Electoral Commission 28 June 2005

The Master Builders' Association of Tasmania Stage 3 Elections - State Councillors & Accreditation Committee Members

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/73

Tasmania

State Councillors representing General Contractor/Commercial, General Contractor/

Civil and Housing Contractor Membership Grades (3)

Total number of persons on the roll of voters	423
Ballot papers issued	423
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	423
Ballot papers / envelopes returned for scrutiny	170
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	168
Percentage of ballot papers returned to number issued	40%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	253

Candidates	<u>Votes</u> **
BESWICK, John * BENNETT, Andrew Norman MEAD, Tim KEATING, Graham * MOODY, David Arthur LICHT, Wayne Herman LAWSON, Ken	0 432 460 0 491 507 555
Exhausted Votes Loss/Gain by Fraction Total votes Formal ballot papers Informal ballot papers	0 0 2445 163 5

^{*} Nomination lapsed as candidate was elected to a higher office.

I declare Andrew Norman Bennett, Tim Mead and David Arthur Moody elected.

Accreditation Committee Members (2)

<u>Candidates</u>

BLOOMFIELD, Richard Gary

KEATING, Graham

I declare Richard Gary Bloomfield and Graham Keating elected.

Southern Region

Southern Region, Regional Representative to State Council

Total number of persons on the roll of voters	176
Ballot papers issued	176
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	176
Ballot papers / envelopes returned for scrutiny	69
Less ballot papers / envelopes rejected at preliminary scrutiny	1

^{**} The three candidates receiving the lowest sum total of votes shall be declared elected.

Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	68
Percentage of ballot papers returned to number issued	39%
	-2-
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	107
<u>Candidates</u>	Votes
KEATING, Graham	29
BENNETT, Andrew Norman	28
MOODY, David Arthur	11
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	68
Formal ballot papers	68
Informal ballot papers	0
Librations Contract Keetlers started	

I declare Graham Keating elected.

Northern Region

Northern Region, Regional Representative to State Council

Candidate WATTS, Phillip

I declare Phillip Watts elected.

North-Western Region

North-Western Region, Regional Representative to State Council

Total number of persons on the roll of voters	123
Ballot papers issued	123
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	123
Ballot papers / envelopes returned for scrutiny	59
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	57
Percentage of ballot papers returned to number issued	47%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	64

<u>Votes</u>
19 13
23
0
0
55
55
2

I declare John Beswick elected.

Ron Mann Returning Officer Australian Electoral Commission

The Master Builders' Association of Tasmania Stage 4 Elections - Office Bearers & Investment Committee Chairman

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/73

State Council

Senior Vice President

Candidate

MANSFIELD, Ian C

Vice President

No nomination was received

Investment Committee

Chairman

Candidate

BLOOMFIELD, Richard

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

Peter Weldon Returning Officer 20 July 2005

The Master Builders' Association of Tasmania Stage 4 Recall Election Vice President

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/73

State Council

Total number of persons on the roll of voters	14
Ballot papers issued	14
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	14
Ballot papers / envelopes returned for scrutiny	10
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	9
Percentage of ballot papers returned to number issued	71%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	4

Vice President

Candidates	First Preference Votes	
MOODY, David Arthur	5	5
BESWICK, John William	4	4
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	9	9
Formal ballot papers	9	9
Informal ballot papers	0	0

I declare David Arthur Moody elected.

Peter Weldon Returning Officer Australian Electoral Commission

19 August 2005



Level 35, Nauru House 80 Collins Street, Melbourne, VIC 3000 GPO Box 1994S, Melbourne, VIC 3001 Telephone: (03) 8661 7993 Fax: (03) 9654 6672

Mr. C. Atkins Executive Director The Master Builders' Association of Tasmania PO Box 992 HOBART TAS 7001

Dear Mr. Atkins,

Re: Election notification - The Master Builders' Association of Tasmania - E2005/73

An examination of the rules of the organisation relating to elections suggests some of those rules are open to more than one interpretation particularly in regard to what the rules currently provide and the organisation's understanding of the rules in relation to the method and timing of elections. For example, whereas the previous rules of the organisation provided for the conduct of elections for the six positions of Members to the State Council representing the General Contractor/Commercial, General Contractor/Civil and Housing Membership Grades to be staggered, the current rules do not.

Under section 189 of Schedule 1B of the Workplace Relations Act 1996, a Registrar must arrange for the conduct of an election by the Australian Electoral Commission if the Registrar is satisfied that an election <u>is required under the rules of organisation</u>. I note that recent election decisions making arrangements for the conduct of elections for a number of requested positions were based on a consideration of the rules of the organisation, the organisation's advice regarding the intent of those rules and previous decisions.

The rules of an organisation should clearly provide for the method of election of offices and the terms of those offices. In particular, if the organisation requires elections to be staggered and/or where the term of office is dependant upon election to another office and the term of office applicable therein, the rules should clearly so provide.

I strongly recommend the organisation alter its rules to clarify the method of election and terms of office for each position for which an election is required.

Yours sincerely,

T. Nassios

Deputy Industrial Registrar

4 May 2005

Workplace Relations Act 1996 s.189 of Schedule 1B - arrangement for conduct of an election

The Master Builders' Association of Tasmania (E2005/73)

T. NASSIOS DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 4 MAY 2005

Arrangement for conduct of election.

DECISION

[1] On 29 March and 13 and 19 April 2005, the abovenamed organisation lodged in the Industrial Registry the prescribed information in relation to an election for the following offices:

Senior Vice-President
Vice-President
State Councillors (3) elected from the combined General Contractor/Commercial,
General Contractor/Civil and Housing Contractor Membership Grades
Investment Committee Chairman
Accreditation Committee Members (2)

Northern Region

Regional Vice-Chairman Regional Management Committee Members (4) Regional Representative to State Council

Southern Region

Regional Chairman Regional Management Committee Members (4) Regional Representative to State Council

North West Region

Regional Chairman Regional Management Committee Members (4) Regional Representative to State Council [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 Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.





G:\aspecation\MBA MABTERS\ELECTIONS\2005-2006\Letter re apcoming 04-05 elections.doc

19th April 2005

Mr S French The Deputy Industrial Registrar Australian Industrial Registrar GPO Box 1232M HOBART TAS 7001



ABN 70 540 112 530

HEAD OFFICE Construction House 85-89 Brisbane Street HOBART TAS 7000 PO Box 992 HOBART TAS 7001

Telephone (03) 6234 3810 Facsimile (03) 6234 3860 Email headoffice@mbatas.org.au

LAUNCESTON
10 Shamrock Street
GLEN DHU TAS 7250
PO Box 859
LAUNCESTON TAS 7250
Telephone (03) 6344 9700
Facsimile (03) 6344 9788
Email launceston@mbatas.org.au

DEVONPORT
41 Steele Street
DEVONPORT TAS 7310
PO 80x 83
DEVONPORT TAS 7310
Telephone (03) 6424 4144
Facsimile (03) 6424 8350
Email devonport@mbatas.org.au

www.mbatas.org.au

Dear Sir,

2005/2006 ASSOCIATION ELECTIONS

Please find enclosed addenda to prescribed information forwarded in accordance with Sub-Section 214(1) of the Workplace Relations Act 1996, relating to the above elections.

Your assistance with this matter is appreciated.

Yours faithfully,

C Atkins

Executive Director

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

1. The offices in respect of which the elections are required are:

Senior Vice President

2. The reason for which the elections are required:

The term of office for the incumbent is due to expire.

3. The electorate/s for the election/s are:

State Councillors

4. The dates and times that nominations open and close are:

Open on 30th May 2005 and close on 10th June 2005.

5. The voting system to be used in the conduct of the election is:

The collegiate voting system.

EXECUTIVE DIRECTOR

19th April 2005

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

1. The offices in respect of which the elections are required are:

Vice President.

2. The reason for which the elections are required:

The term of office for the incumbents is due to expire.

3. The electorate/s for the election/s are:

State Councillors

4. The dates and times that nominations open and close are:

Open on 30th May 2005 and close on 10th June 2005.

5. The voting system to be used in the conduct of the election is:

The collegiate voting system.

EXECUTIVE DIRECTOR

19th April 2005

From: Chris Atkins [hurricanes10@austarnet.com.au]

Sent: Wednesday, 13 April 2005 12:12 PM
To: larry.powell@air.gov.au

Subject: MBAT ELECTIONS

Hi Larry

I write to confirm details of our recent discussion of this even date. Please withdraw the request to elect the Chairman of the Accreditation Committee My apologies for any inconvenience this may cause. Regards

Chris Atkins



ચવ

ABN 70 540 112 530

HEAD OFFICE Construction House 85-89 Brisbane Street

HOBART TAS 7000 PO Box 992

HOBART TAS 7001 Telephone (03) 6234 3810 Facsimile (03) 6234 3860 Email headoffice@mbatas.org.au

LAUNCESTON
10 Shamrock Street
GLEN DHU TAS 7250
PO Box 859
LAUNCESTON TAS 7250
Telephone (03) 6344 9700
Facsimile (03) 6344 9788
Email launceston@mbatas.org.au

DEVONPORT
41 Steele Street
DEVONPORT TAS 7310
PO Box 83
DEVONPORT TAS 7310
Telephone (03) 6424 4144
Facsimile (03) 6424 8350
Email devonport@mbatas.org.au

www.mbatas.org.au

G:\usescention\MBA MASTERS\ELECTIONS\2005-2006\Letter re upcoming 04-05 elections.doc

22nd March 2005

Mr S French
The Deputy Industrial Registrar
Australian Industrial Registrar
GPO Box 1232M
HOBART TAS 7001

Dear Sir,

2005/2006 ASSOCIATION ELECTIONS

Please find enclosed prescribed information in accordance with Sub-Section 214(1) of the Workplace Relations Act 1996, relating to the above elections.

Your assistance with this matter is appreciated.

Yours faithfully,

C Atkins

Executive Director

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

1. The offices in respect of which the elections are required are:

Regional Management Committee Members (4).

2. The reason for which the elections are required:

The term of office for the incumbents is due to expire.

7. The electorate/s for the election/s are:

Southern Region, Northern Region, North Western Region.

8. The dates and times that nominations open and close are:

Open on 11th April 2005 and close on 18th April 2005.

5. The voting system to be used in the conduct of the election is:

The direct voting system.

EXECUTIVE DIRECTOR 22nd March 2005

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

- 1. The offices in respect of which the elections are required are:
 - Regional Vice Chairman.
- 2. The reason for which the elections are required:
 - The term of office for the incumbent is due to expire.
- 3. The electorate/s for the election/s are:
 - Northern Management Committee.
- 4. The dates and times that nominations open and close are:
 - Open on 3rd May 2005 and close on 17th May 2005.
- 5. The voting system to be used in the conduct of the election is:

The collegiate voting system.

EXECUTIVE DIRECTOR

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

- 1. The offices in respect of which the elections are required are:
 - Regional Chairman.
- 2. The reason for which the elections are required:
 - The term of office for the incumbents is due to expire.
- 5. The electorate/s for the election/s are:
 - (a) Southern Region and (b) North West Region.
- 6. The dates and times that nominations open and close are:
 - Open on 3rd May 2005 and close on 17th May 2005.
- 5. The voting system to be used in the conduct of the election is:

The collegiate voting system.

EXECUTIVE DIRECTOR

22nd March 2005

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

- 1. The offices in respect of which the elections are required are:
 - **Accreditation Committee Chairman.**
- 2. The reason for which the elections are required:
 - The term of office for the incumbent is due to expire.
- 9. The electorate/s for the election/s are:
 - **Accreditation Committee**
- 10. The dates and times that nominations open and close are:
 - Open on 16th May 2005 and close on 27th May 2005.
- 5. The voting system to be used in the conduct of the election is:

The collegiate voting system.

EXECUTIVE DIRECTOR

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

1. The offices in respect of which the elections are required are:

Investment Chairman

2. The reason for which the elections are required:

The term of office for the incumbent is due to expire.

11. The electorate/s for the election/s are:

Investment Committee.

12. The dates and times that nominations open and close are:

Open on 16th May 2005 and close on 27th May 2005.

5. The voting system to be used in the conduct of the election is:

The collegiate voting system.

EXECUTIVE DIRECTOR

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

1. The offices in respect of which the elections are required are:

State Councillors (3)

2. The reason for which the elections are required:

The term of office for the incumbent is due to expire.

3. The electorate/s for the election/s are:

Tasmania from the General Contractor/Commercial, General Contractor/Civil and Housing Contractor Members.

4. The dates and times that nominations open and close are:

Open on 16th May 2005 and close on 27th May 2005.

5. The voting system to be used in the conduct of the election is:

The direct voting system.

EXECUTIVE DIRECTOR

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

- 1. The offices in respect of which the elections are required are:
 - State Councillors Regional Representatives (3)
- 2. The reason for which the elections are required:
 - The term of office for the incumbent is due to expire.
- 5. The electorate/s for the election/s are:
 - Southern Region, Northern Region, North Western Region
- 6. The dates and times that nominations open and close are:
 - Open on 16th May 2005 and close on 27th May 2005.
- 5. The voting system to be used in the conduct of the election is:

The direct voting system.

EXECUTIVE DIRECTOR

I am an officer of the Master Builders' Association of Tasmania Inc. and am authorised to sign this statement, which is lodged in accordance with sub-section 214(1) of the Act.

1. The offices in respect of which the elections are required are:

Accreditation Committee Members (2)

2. The reason for which the elections are required:

The term of office for the incumbent is due to expire.

7. The electorate/s for the election/s are:

Tasmania (Life members and past Presidents).

8. The dates and times that nominations open and close are:

Open on 16th May 2005 and close on 27th May 2005.

5. The voting system to be used in the conduct of the election is:

The direct voting system.

EXECUTIVE DIRECTOR 22nd March 2005