

**From:** Noopur Madan [<mailto:Noopur.Madan@aec.gov.au>]  
**Sent:** Wednesday, 29 March 2017 1:27 PM  
**To:** Paul Naylor; Orgs; Industrial Elections  
**Subject:** ON CMS - E2016/237 - Post election report for The Master Plumbers & Mechanical Contractors Association of New South Wales: E2016/237 [SEC=UNCLASSIFIED]

Attention: David Vale, Fair Work Commission

Mr Paul Naylor  
General Manager  
The Master Plumbers & Mechanical Contractors Association of New South Wales  
MPMCNSW  
2 Percy Street  
AUBURN NSW 2144

Dear Mr. Naylor ,

I refer to the above Scheduled election for The Master Plumbers & Mechanical Contractors Association of New South Wales, MPMCNSW- E2016/237

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a Post Election Report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the Post Election Report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the *Fair Work (Registered Organisations) Regulations 2009* requires an organisation or branch to publish a notice on its website advising members that a copy of the Post Election Report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Regards

**Ms. Noopur Madan | Senior Returning Officer**  
Industrial & Commercial Elections | NSW State Office  
Australian Electoral Commission  
T: (02) 9375 6321 | F: (02) 6215 9910



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Post election report Declaration of results  
MPMCNSW E2016-23report - E2016-237.p

29 March 2017

# Post-election Report

**Master Plumbers and Mechanical  
Contractors Association of New South Wales  
(MPMCNSW) Scheduled Election: E2016/237**

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## Election(s) Covered in this Report

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Election Decision No/s: E2016/237

## Rules

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Rules used for the election: [139N: Incorporates alterations of 01/01/2014 determined on 24/12/2013(R2013/146)]

Rules difficult to apply/interpret: None  
Module Rule reference (if any) N/A

## Roll of Voters

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Total number of voters on the Roll: 448  
Number of apparent workplace addresses: All  
Number of non-current addresses: None  
Other matters pertaining to the roll of voters: None

## Irregularities

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

## Other Matters

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None

## Attachments

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- 1) Declaration of Results for Contested and Uncontested Offices –E2016/237



Noopur Madan  
Returning Officer

29 March 2017

# The Master Plumbers & Mechanical Contractors Association of New South Wales Scheduled Election

## Declaration of Results for Contested and Uncontested Offices

**E2016/237**

Below are 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.

### **President**

#### Candidates

CAMPBELL, Evan

I declare Evan Campbell elected.

### **Vice-President**

#### Candidates

MCKAY, Callum

I declare Callum McKay elected.

### **Guardian**

#### Candidates

ARMSTRONG, Bill

I declare Bill Armstrong elected.

Total number of names on the roll of voters	448
Ballot papers issued	448
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>448</b>
Ballot papers / envelopes returned for scrutiny	41
Less ballot papers / envelopes rejected at preliminary scrutiny	3
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>38</b>
Percentage of ballot papers returned to number issued	9
Ballot papers returned as unclaimed mail	1
Ballot papers not returned	406

## Treasurer

<u>Candidates</u>	<u>Votes</u>
MOON, Damian	21
BIRCH, Barry John	15
Total votes	<b>36</b>
Formal ballot papers	<b>36</b>
Informal ballot papers	<b>2</b>

I declare Damian Moon elected.

## Executive Committee Members (7)

<u>Candidates</u>	<u>Votes</u>
LOWTHER, Ashley	31
NASHATY, Mark	23
BIRCH, Barry John	32
SULLIVAN, Timothy John	30
ASHBEE, Sterling	21
TONKS, Joanne	25
MOON, Damian *	excluded
SCOTT, Craig Clifford	25
MCLEOD, Nicholas	26
Total votes	<b>213</b>
Formal ballot papers	<b>37</b>
Informal ballot papers	<b>1</b>

\* As per Rule 39.17 Damian MOON was removed from the count as he was elected as Treasurer previously.

I declare Barry John Birch, Ashley Lowther, Nicholas McLeod, Mark Nashaty, Craig Clifford Scott, Timothy John Sullivan and Joanne Tonks elected.



Noopur Madan  
Returning Officer  
Australian Electoral Commission

23 March 2017





## DECISION

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

### **The Master Plumbers & Mechanical Contractors Association of New South Wales**

(E2016/237)

MR ENRIGHT

MELBOURNE, 31 OCTOBER 2016

*Arrangement for conduct of election.*

[1] On 26 October 2016 The Master Plumbers & Mechanical Contractors Association of New South Wales lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President (1)  
Vice President (1)  
Treasurer (1)  
Guardian (1)  
Executive Committee Member (7)

[2] I am satisfied that an election for the above-named 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

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<Price code A, PR587070>

**From:** KELLETT, Stephen  
**Sent:** Monday, 31 October 2016 9:18 AM  
**To:** 'Nicola@masterplumbers.com.au'  
**Cc:** 'Paul Naylor'  
**Subject:** Election - Master Plumbers (NSW) - E2016/237 - Decision

Dear Ms Crumlin,

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

**STEPHEN KELLETT**  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283  
(mob.) 0429 462 979  
(email) [stephen.kellett@fwc.gov](mailto:stephen.kellett@fwc.gov)



E2016 237  
Decision.pdf

**From:** KELLETT, Stephen  
**Sent:** Monday, 31 October 2016 9:19 AM  
**To:** 'Industrial Elections'  
**Subject:** Election - Master Plumbers and Mechanical Contractors Assoc. NSW - E2016/237 - Decision

Dear Electoral Officer,

Please see attached a copy of the Delegate's Decision in relation to the above.

Yours faithfully

**STEPHEN KELLETT**  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283  
(mob.) 0429 462 979  
(email) [stephen.kellett@fwc.gov](mailto:stephen.kellett@fwc.gov)



E2016 237  
Decision.pdf



## Copy of Prescribed Information

**Title of Matter:** Application/Notification by Master Plumbers & Mechanical Contractors Association of New South Wales, The  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** Executive Committee (including Office-bearers and one Guardian)  
**Matter Number(s):** E2016/237

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

### **Inquiries:**

Any inquiries relating to this are to be directed to: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**26 OCTOBER 2016**

**From:** Nicola Crumlin [<mailto:Nicola@masterplumbers.com.au>]  
**Sent:** Wednesday, 26 October 2016 10:40 AM  
**To:** Orgs  
**Cc:** Paul Naylor  
**Subject:** SK - E2016/237 - ON CMS - Annual Election [E2016/237] - Master Plumbers and Mechanical Contractors Association of NSW (139N)

Hi David

Please find attached information regarding the election for The Master Plumbers and Mechanical Contractors Association of NSW (139N) – Annual Election [E2016/237].

If you require further information please do not hesitate to contact either Paul Naylor or myself.

A hard copy will go out today in the mail.

Regards, Nicola

Kind regards,

***Nicola Crumlin***  
**Executive Assistant to Paul Naylor CEO**

**MPA Group**  
**Master Plumbers Association of NSW**  
**Master Plumbers Apprentices Limited (MPAL)**  
**M P A Training**



2 Percy Street, Auburn NSW 2144  
PO Box 42, Lidcombe NSW 1825  
DDI: (02) 8789 7011  
PH: (02) 8789 7000  
Fax: (02) 9749 7881  
Mobile: 0449 735 164  
Email: [nicola@masterplumbers.com.au](mailto:nicola@masterplumbers.com.au)  
Website: [www.masterplumbers.com.au](http://www.masterplumbers.com.au)

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26.10.2016 Dave  
Vale Re Annual Electi



# MASTER PLUMBERS ASSOCIATION OF NSW™

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AEL:020

25 October 2016

Mr David Vale  
Regulatory Compliance Branch  
Fair Work Commission  
Level 10 Terrace Towers  
East Sydney NSW 2001

Email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

Dear Mr Vale

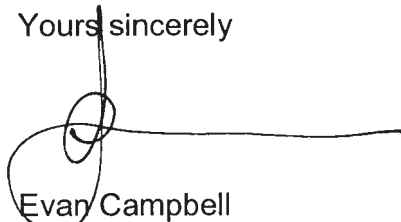
**RE: THE MASTER PLUMBERS AND MECHANICAL CONTRACTORS  
ASSOCIATION OF NSW (139N) – ANNUAL ELECTION [E2016/237]**

Please find attached the prescribed information in respect of an election of The Master Plumbers and Mechanical Contractors Association of NSW to be conducted by the AEC in accordance with Sub-Section 182 (1) of the Fair Work (Registered Organisations) Act 2009.

The prescribed information supplied is in accordance with that set out in Sub-Sections 189(1) and (2) of the Fair Work (Registered Organisations) Act 2009.

Should you require any further information, please do not hesitate to contact the undersigned on (02) 8789 7000.

Yours sincerely



Evan Campbell  
President

**THE MASTER PLUMBERS & MECHANICAL CONTRACTORS ASSOCIATION OF NSW**

2 Percy Street, Auburn, NSW 2144 PO Box 42 Lidcombe, NSW 1825 Ph: (02) 8789 7000 Freecall: 1800 424 181 Fax: (02) 9749 7881

Email: [info@masterplumbers.com.au](mailto:info@masterplumbers.com.au) Web: [www.masterplumbers.com.au](http://www.masterplumbers.com.au)

ABN 64 040 939 175

**FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009**

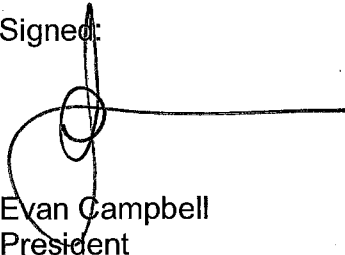
**FAIR WORK AUSTRALIA**

**STATEMENT and NOTICE OF PRESCRIBED INFORMATION  
UNDER SECTION 189**

I, Evan Campbell, President of The Master Plumbers & Mechanical Contractors Association of New South Wales make the following statement:

1. I am the President of The Master Plumbers & Mechanical Contractors Association of New South Wales,
2. I am authorised to lodge the following prescribed information concerning forthcoming elections in The Master Plumbers & Mechanical Contractors Association of New South Wales, and
3. I confirm that the following information is being lodged under Sub-Sections 189 (1) and (2) of the Fair Work (Registered Organisations) Act 2009.

Signed:



Evan Campbell  
President  
The Master Plumbers & Mechanical Contractors Association  
of New South Wales

Dated:

25.10.16  
.....

Offices/Positions

A	President – Direct voting systems (DVS)
	Vice President (DVS)
	Treasurer (DVS)
B	Guardians (1) (DVS)
C	Executive Committee Members (7) (DVS)

**Reasons for election:**

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

**Elected by:**

The electorate for the direct voting system (DVS) is the whole of the membership.

**Nominations open:**

Nominations for all offices and positions are to be open by Thursday 26 January 2017 or at such time as determined by the Returning Officer.

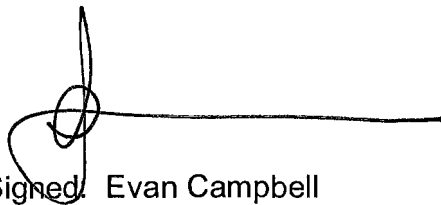
**Nominations close:**

Nominations for all offices and positions are to close **no later than noon**, Thursday 16 February 2017, or at such time as determined by the Returning Officer.

**Close of the Roll:**

The roll of voters shall close 14 days before the date on which nominations open.

Where a ballot is required for an election, the roll of members used for the purpose of voting in such a ballot will close on Thursday 12 January 2017.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Signed: Evan Campbell



**From:** Orgs  
**Sent:** Tuesday, 4 October 2016 3:28 PM  
**To:** 'paul@masterplumbers.com.au'  
**Subject:** Conduct of Election - Courtesy letter

Please find attached correspondence regarding the matter **E2016/237 - Application/Notification by Master Plumbers & Mechanical Contractors Association of New South Wales, The**

This correspondence was sent automatically from the Fair Work Commission.



RAOCoverLetROE.do

c



4 October 2016

Mr Paul Naylor  
General Manager  
The Master Plumbers & Mechanical Contractors Association of New South Wales  
By email: [info@masterplumbers.com.au](mailto:info@masterplumbers.com.au)

CC: AEC Returning Officer by email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Mr Naylor,

### **Courtesy Letter - Election for offices [E2016/237]**

The rules of the Master Plumbers & Mechanical Contractors Association of New South Wales indicate that an election for offices within the organisation is due to commence shortly.

- Executive Committee (including Office-bearers and one Guardian)

It appears that nominations for the election for the above-named offices open in January next year.

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Fair Work Commission (the Commission) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the Commission know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <https://www.fwc.gov.au/registered-organisations/fact-sheets-templates-webinars>.

The prescribed information should be emailed to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). If your organisation believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the General Manager within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the General Manager will consider such an application, there is no assurance that consent to a later day will be allowed.

**It should be noted Section 189(2) is a civil penalty provision.** Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The Commission intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the Commission cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

When lodging the prescribed information, please quote [E2016/237]

Should you seek any clarification in relation to the above, please contact the Commission on [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

Yours sincerely,



Annastasia Kyriakidis  
Regulatory Compliance Branch