



28 September 2017

President
Motor Trade Association of South Australia Incorporated
mta@mta-sa.asn.au

Dear President,

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 uncontested offices for [E2017/183]. 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 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 Motor Trade Association of South Australia Incorporated, The 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.

Regards

Christine Hibberd
Registered Organisations Commission

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. *[include OLD name and address and NEW name and address of every branch that has changed]*
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

26 September 2017

Post-election Report

**The Motor Trade Association of
South Australia Incorporated
E2017/183**

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Election(s) Covered in this Report

Election Decision No/s: E2017/183

Rules

Rules used for the election:	[234V: Incorporates alterations of 18/07/14 [R2013/376] (replaces rulebook dated 01/01/2014 [R2013/113])
Rules difficult to apply/interpret:	None
Module Rule reference (if any)	N/A

Roll of Voters

There were no contested offices, however MTA-SA provided the Roll of Voters.

Total number of voters on the Roll:	632
Number of apparent workplace addresses:	632
Number of non-current addresses:	Nil
Other matters pertaining to the roll of voters:	Nil

Irregularities

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

Other Matters

N/A.

Attachments

- 1) Declaration of results for Uncontested Offices – SA



Jenny Southall
Returning Officer

26 September 2017

**The Motor Trade Association of South Australia Incorporated
MTA-SA Casual Vacancy & Board Reps
E2017/183**

Declaration of Results for Uncontested Offices

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.

**Auto Repair & Engineering Division
Board of Management Representative**

Candidates

No nomination was received

**Licensed Vehicle Dealers Division
Board of Management Representative**

Candidates

VINCENT, David

**Central Zone
Board of Management Representative**

Candidates

TURNER, Philip Andrew

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


Jenny Southall
Returning Officer

20 September 2017



DECISION

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

Motor Trade Association of South Australia Incorporated (E2017/183)

MR ENRIGHT

MELBOURNE, 15 AUGUST 2017

Arrangement for conduct of election.

[1] On 26 July 2017 the Motor Trade Association of South Australia Incorporated (the organisation) lodged with the Registered Organisations Commission (the Commission) prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Auto Repair and Engineering Division Board Representative

[2] On 26 July 2017 the organisation lodged with the Commission prescribed information for an election to fill the following offices, due to insufficient nominations received in a previous election (**E2017/7**):

Licensed Vehicle Dealers Division Board Representative
Central Zone Board Representative

[3] 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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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, **FRANK AGOSTINO**, being the **President** of the Motor Trade Association of SA Incorporated, Level 1, 81 Greenhill Road, Wayville in the State of South Australia, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Motor Trade Association of SA Incorporated.
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. The resignation letter is attached for each casual vacancy is set out in Annexure 'B'.
5. Insufficient nominations were received in an earlier election and the declaration of results is attached.

Signed: _____



Dated: 25 July 2017

Elections that are required

Name of Office	Number Required	Voting System	Reason for Election	Electorate
		<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
LVD DIVISION Licensed Vehicle Dealers Division	1	Direct voting system	Insufficient nominations	<i>All Members of the LVD Division</i>
CENTRAL ZONE	1	Direct voting system	Insufficient nominations	<i>All Members of the Central Zone</i>
AUTO REPAIR & ENGINEERING DIVISION	1	Direct voting system	Casual vacancy (the resignation is attached – Annexure B)	<i>All Members of the Auto Repair & Engineering Division</i>

Important dates:

	Direct Voting System
Nominations OPEN	As To be determined by Returning officer
Nominations CLOSE	As To be determined by Returning officer
Roll of Voters cut off date	As To be determined by Returning officer



Reference: S17/10

Mr Frank Agostino
Executive Director
The Motor Trade Association of South Australia Incorporated
Level 1, 81 Greenhill Rd
WAYVILLE SA 5034

Dear Mr Agostino,

**The Motor Trade Association of South Australia Incorporated
MTA SA Scheduled Election
E2017/07**

The declaration of the election for uncontested offices is attached.

The election is now complete.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Jenny Southall', written over a horizontal line.

Jenny Southall
Returning Officer

27 June 2017

cc all candidates

The Motor Trade Association of South Australia Incorporated E2017/07 MTA SA Scheduled Election

Declaration of Results for Uncontested Offices

E2017/07

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.

Motor Trade Association of SA

President

Candidates

AGOSTINO, Frank

Vice-President

Candidates

No nomination was received

Board Representative from Australian Automobile Dealers Association (SA) Division

Candidates

No nomination was received

Board Representative from Body Repair Specialists Division

Candidates

WILLIAMS , Jeffry

Board Representative from Licensed Vehicle Dealers Division

Candidates

No nomination was received

Board Representative from Towing Division

Candidates

HITCHCOCK, John

Board Representative Central Zone

Candidates

No nomination was received

Board Representative Lower Eyre Peninsula Zone

Candidates

DUNS, Robert

Board Representative Mid North Zone

Candidates

No nomination was received

Board Representative South Eastern Zone

Candidates

ROBERTS, Peter

Board Representative Riverland Zone

Candidates

WEBBER, Kym

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



Jenny Southall
Returning Officer

27 June 2017