



AMENDING DECISION

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

The Motor Trade Association of South Australia Incorporated (E2020/45)

MR STEENSON

SYDNEY, 28 APRIL 2021

Arrangement for conduct of election.

[1] On 6 May 2020 the Motor Trade Association of South Australia Incorporated (**the Association**) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Board Members	(7)
Chair	(1)
Deputy Chair	(1)

[2] On 12 May 2020 a decision was issued by a Delegate of the Commissioner making arrangements for the conduct of an election for those offices by the Australian Electoral Commission (AEC), as the Delegate was satisfied that an election for the abovenamed offices was required to be held under the rules of the organisation.

[3] However, as a result of the delay in the conduct of most industrial elections by the Australian Electoral Commission (AEC), arising from the COVID-19 pandemic and associated restrictions, election **E2020/45** was among the elections delayed. On 22 April 2021, the AEC confirmed that election **E2020/45** has not yet been conducted.

[4] The offices that were the subject of this decision **E2020/45** are the same as those listed in prescribed information lodged by the Association on 23 March 2021 in **E2021/55**.

[5] On 27 April 2021 I issued a decision making arrangements for the conduct of the scheduled election in **E2021/55** by the AEC.¹

¹ [2021] ROCD 59

[6] Clearly two elections are not required for the same offices. In order to prevent a duplication of elections, this amending decision is issued to advise that the election that would otherwise arise from the Delegate's decision dated 12 May 2020 in **E2020/45** is no longer required.



DELEGATE OF THE COMMISSIONER

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DECISION

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

The Motor Trade Association of South Australia Incorporated (E2020/45)

MR ENRIGHT

MELBOURNE, 12 MAY 2020

Arrangement for conduct of election.

[1] On 6 May 2020 the Motor Trade Association of South Australia Incorporated lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Board Members	(7)
Chairman	(1)
Deputy Chairman	(1)

[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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MOTOR TRADE ASSOCIATION OF SA ANNUAL ELECTIONS

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 South Australia, Level 1, 81 Greenhill Road, Wayville, Adelaide make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Motor Trade Association of South Australia.
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** (to be conducted by the Australian Electoral Commission). The reason for these elections is that all of the transitional Board office terms are about to expire and all offices will now be up for election.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed: _____


Dated: 06 May 2020

ANNEXURE A

• **ELECTIONS THAT ARE REQUIRED:**

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
MTA-SA	Board Members (All positions) 1	7	DVS	Scheduled	All members of the MTA (rule 15.3)
MTA-SA	Chairman	1	Collegiate	Scheduled	All members of the Board (rules 14.1)
MTA-SA	Deputy Chair	1	Collegiate	Scheduled	All members of the Board (rules 14.1)

• **IMPORTANT DATES:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	At least 7 weeks prior to the Annual General Meeting scheduled for 22 September 2020 (rule 13.3)	<i>Proposed date will be 3 August 2020 (To be determined by the returning officer)</i>
Nominations CLOSE	At least 5 weeks prior to the Annual General Meeting scheduled for 22 September 2020 (To be determined by the returning officer)	<i>Proposed date will be 17th August 2020 (To be determined by the returning officer)</i>
Roll of Voters cut off date	7 days prior to the opening date for nominations (rule 11.1)	7 days prior to nominations opening