

Post-election report

Motor Trades Association of Queensland
Industrial Organisation of Employers
Scheduled election
E2019/14

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Election(s) Covered in this Report

Organisation: Motor Trades Association of Queensland Industrial Organisation of Employers

Election: Scheduled

Election Decision No/s: E2019/14

Rules

Rules used for the election: [015Q: Rules certified on 26/02/2019 in matter R2018/289]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

Roll of Voters

Total number of voters on the Roll: Stage 1 - 1138

Number of apparent workplace addresses: 1119

Number of non-current addresses: 19

Total number of voters on the Roll: Stage 2 - 25

Total number of voters on the Roll: Stage 3 - 11

Other matters pertaining to the roll of voters: Nil

Irregularities

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

Other irregularities identified, and action taken: Nil

Other Matters

Returning Officer actions required (Section 193): No

Details: N/A

Signed



Steve Gillespie

Returning Officer

Australian Electoral Commission

E: qldelections@aec.gov.au

P: 07 3049 2132

9 December 2019

Attachments

- A. Declaration of results for Uncontested Offices – Stage 1
- B. Declaration of Results for Contested Offices – Stage 1
- C. Declaration of Results for Uncontested Offices – Recall Stage 1
- D. Declaration of Results for Uncontested Offices – Stage 2
- E. Declaration of Results for Uncontested Offices – Stage 3
- F. Declaration of Results for Contested Offices – Stage 3



25 November 2019

James Robertson
Secretary
Motor Trades Association of Queensland Industrial Organisation of Employers
Sent via email: info@mtaq.com.au

Dear James Robertson,

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 contested and uncontested offices Stage 3 in matter E2019/14. 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 Motor Trades Association of Queensland Industrial Organisation of Employers 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 faithfully,

Christine Hibberd
Registered Organisations Commission

Motor Trades Association of Queensland Industrial Organisation of Employers

DECLARATION OF RESULTS - E2019/14 - Stage 3 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:

District Representatives and District Chairmen

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	11
Number of voters issued with voting material	10
COUNT	
Total ballot papers admitted to the count (b)	10
PARTICIPATION	
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	90 %

MTA Queensland Vice-Chairman (1)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
BRYERS, Mark	10	10
DODGE, Mark	0	0

Total ballot papers admitted for this office	10
Formal Ballot papers	10
Informal Ballot papers	0

I declare the following elected:

- BRYERS, Mark



Steve Gillespie
Returning Officer
Telephone: 07 3049 2132
Email: qldelections@aec.gov.au
15/11/2019

Motor Trades Association of Queensland Industrial Organisation of Employers

DECLARATION OF RESULTS - E2019/14 - Stage 3 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:

District Representatives and District Chairmen

MTA Queensland Chairman (1)

Candidates

PETERSON Paul

MTA Queensland Secretary (1)

Candidates

ROBERTSON James

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



Steve Gillespie
Returning Officer
Telephone: 07 3049 2132
Email: qldelections@aec.gov.au
15/11/2019



19 August 2019

James Robertson
Secretary
Motor Trades Association of Queensland Industrial Organisation of Employers
Sent via email: info@mtaq.com.au

Dear James Robertson,

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 in matter E2019/14. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

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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.

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Yours faithfully,

Christine Hibberd
Registered Organisations Commission

Motor Trades Association of Queensland Industrial Organisation of Employers

Motor Trades Association of Queensland Industrial Organisation of Employers DECLARATION OF RESULTS - E2019/14 - 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:

Automotive Remarketing Division (ARD)

Division Chairman (ARD) (1)

Candidates

DEVER Peter G

Division Vice-Chairman (ARD) (1)

Candidates

PETHER Rod

Division Secretary (ARD) (1)

Candidates

ATKINS Darren

Engine Re-Conditioners Association of Queensland (ERAQ)

Division Chairman (ERAQ) (1)

Candidates

BRYERS Mark

Division Vice-Chairman (ERAQ) (1)

Candidates

HARPER Brett

Division Secretary (ERAQ) (1)

Candidates

HUTCHINSON Hatice

Service Station and Convenience Store Association of Queensland (SSCSAQ)

Division Chairman (SSCSAQ) (1)

Candidates

KANE Timothy

Division Vice-Chairman (SSCSAQ) (1)

Candidates

BAUMAN Darren

Division Secretary (SSCSAQ) (1)

Candidates

LYNCH Glen

Rental Vehicle Industry Division (RVID)

Division Chairman (RVID) (1)

Candidates

HARRISON Grant

Division Vice-Chairman (RVID) (1)

Candidates

FITZPATRICK Peter

Division Secretary (RVID) (1)

Candidates

SOMES Cameron

Auto Parts Recyclers Division (APRD)

Division Chairman (APRD) (1)

Candidates

BEACHAM Lawrie

Division Vice-Chairman (APRD) (1)

Candidates

PEREIRA Andrew

Division Secretary (APRD) (1)

Candidates

RANDALL Tracy

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



Katie Sutton
Returning Officer
Telephone: 07 3834 3429
Email: qldelections@aec.gov.au
13/08/2019



18 July 2019

James Robertson
Secretary
Motor Trades Association of Queensland Industrial Organisation of Employers
Sent via email: info@mtaq.com.au

Dear James Robertson,

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 contested offices in matter E2019/14. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

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 - the date of the change of office holder; and
 - the name of the person vacating the office.
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Yours faithfully,

Christine Hibberd
Registered Organisations Commission

**Motor Trades Association of Queensland Industrial
Organisation of Employers**
**Motor Trades Association of Queensland Industrial Organisation of
Employers**

**DECLARATION OF RESULTS - E2019/14 - Stage 1
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:

Automotive Remarketing Division (ARD)

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	52
Number of voters issued with voting material	52
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	52
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	13
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	13
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	39
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	25 %

Division Committee Member (5)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
ATKINS, Darren	11	11
BROWN, Shane	8	8
DEVER, Peter G	11	11
GRANT, David	8	8
HYNDMAN, Ray F	8	8
PETHER, Rod	9	9
Total ballot papers admitted for this office		13
Formal Ballot papers		13
Informal Ballot papers		0

Due to the low number of ballot papers returned and the total number of votes cast, three Candidates received an equal number of votes. As required under Rule 17.1(b) *In an event that Candidates receive an equal number of votes for the same office, and it is necessary to determine which of the Candidates shall be elected, the Returning Officer shall conduct a lot between such Candidates, and on conclusion of this lot shall certify such Candidate or Candidates to have been elected.*

A lot draw was conducted as required, and as a result, I declare the following elected:

	Order Elected
• ATKINS, Darren	1
• DEVER, Peter G	2
• PETHER, Rod	3
• BROWN, Shane	4
• HYNDMAN, Ray F	5



Katie Sutton
Returning Officer
Telephone: 07 3834 3429
Email: qldelections@aec.gov.au
16/07/2019



2 July 2019

James Robertson
Secretary
Motor Trades Association of Queensland Industrial Organisation of Employers
Sent via email: info@mtaq.com.au

Dear James Robertson,

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 stage 1 uncontested offices in matter E2019/14. 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

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 - the name of the person vacating the office.
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Yours faithfully,

Christine Hibberd
Registered Organisations Commission

21 June 2019

Post-election Report

**Motor Trades Association of Queensland
Industrial Organisation of Employers E2019/14
– Recall Election Stage 1**

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Election Covered in this Report

Election Decision No: E2019/14

Rules

Rules used for the election:	[015Q: Rules certified on 26/02/2019 in matter R2018/289] [Replaces rules as at 14/02/2018 in matter R2017/276]
Rules difficult to apply/interpret:	None
Module Rule reference (if any)	N/A

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Other Matters

Nil

Attachments

- 1) Declaration of results for Uncontested Offices

A handwritten signature in black ink, appearing to read 'Katie Sutton', written in a cursive style.

Katie Sutton
Returning Officer

21 June 2019

**Motor Trades Association of Queensland Industrial
Organisation of Employers**
**Motor Trades Association of Queensland Industrial Organisation of
Employers**
DECLARATION OF RESULTS - E2019/14 - Stage 1
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:

Service Station and Convenience Store Association of Queensland (SSCSAQ)

Division Committee Member (1)

Candidates

RASMUSSEN Karl

Auto Parts Recyclers Division (APRD)

Division Committee Member (4)

Candidates

BEACHAM Lawrie

PEREIRA Andrew

RANDALL Tracy

RAYMONT Greg

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



Katie Sutton
Returning Officer
Telephone: 07 3834 3429
Email: qldelections@aec.gov.au
21/06/2019

**Motor Trades Association of Queensland Industrial
Organisation of Employers**
**Motor Trades Association of Queensland Industrial Organisation of
Employers**
DECLARATION OF RESULTS - E2019/14 - Stage 1
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:

Engine Re-Conditioners Association of Queensland (ERAQ)

Division Committee Member (5)

Candidates

BRYERS Mark
HARPER BRETT
HUTCHINSON Hatice
MEYERS Mick
PETERS Sean

Service Station and Convenience Store Association of Queensland (SSCSAQ)

Division Committee Member (5)

Candidates

BAUMAN Darren Lorne
KANE Timothy
KAVCIC Richard
LYNCH Glen

Rental Vehicle Industry Division (RVID)

Division Committee Member (5)

Candidates

DOWLING T. M.
ESSINGTON-WILSON Mr Darryl
FITZPATRICK Peter
HARRISON Grant
SOMES Cameron

Auto Parts Recyclers Division (APRD)

Division Committee Member (5)

Candidates

MALAPONTE Phillip Paul

Far North District

District Representative (1)

Candidates

DODGE Mark

Central District

District Representative (1)

Candidates

ROBERTSON James

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



Katie Sutton
Returning Officer
Telephone: 07 3834 3429
Email: qdelections@aec.gov.au
04/06/2019





DECISION

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

Motor Trades Association of Queensland Industrial Organisation of Employers (E2019/14)

MR ENRIGHT

MELBOURNE, 17 APRIL 2019

Arrangement for conduct of election.

[1] On 22 February 2019 the Motor Trades Association of Queensland Industrial Organisation of Employers lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Division Committee Member – Automotive Remarketing Division (ARD)	(5)
Division Chairman (ARD)	(1)
Division Vice-Chairman (ARD)	(1)
Division Secretary (ARD)	(1)
Division Committee Member – Engine Re-Conditioners Association of Queensland (ERAQ)	(5)
Division Chairman (ERAQ)	(1)
Division Vice-Chairman (ERAQ)	(1)
Division Secretary (ERAQ)	(1)
Division Committee Member – Service Station and Convenience Store Association of Queensland (SSCSAQ)	(5)
Division Chairman (SSCSAQ)	(1)
Division Vice-Chairman (SSCSAQ)	(1)
Division Secretary (SSCSAQ)	(1)
Division Committee Member – Rental Vehicle Industry Division (RVID)	(5)
Division Chairman (RVID)	(1)
Division Vice-Chairman (RVID)	(1)
Division Secretary (RVID)	(1)
Division Committee Member – Auto Parts Recyclers Division (APRD)	(5)
Division Chairman (APRD)	(1)
Division Vice-Chairman (APRD)	(1)
Division Secretary (APRD)	(1)

District Representative Far North District	(1)
District Representative Central District	(1)
MTA Queensland Chairman	(1)
MTA Queensland Vice-Chairman	(1)
MTA Queensland Secretary	(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

Printed by authority of the Commonwealth Government Printer

PR351323

Notice and Statement of Prescribed Information for an Election

I, James William George Robertson, being the Secretary of Motor Trades Association of Queensland, Industrial Organisation of Employers (MTA Queensland), make the following statement:

I am the Secretary of the Motor Trades Association of Queensland, Industrial Organisation of Employers (MTA Queensland),

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Queensland Branch of the Motor Trades Association of Queensland, Industrial Organisation of Employers, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed: 

Dated: 21/02/2019

Offices/Positions

A	Automotive Remarketing Division ARD Committee (5) Automotive Remarketing Division Chairman (1) Automotive Remarketing Division Vice-Chairman (1) Automotive Remarketing Division Secretary (1)
	Engine Reconditioners Association of Queensland ERAQ Committee (5) Engine Reconditioners Association of Queensland Chairman (1) Engine Reconditioners Association of Queensland Vice Chairman (1) Engine Reconditioners Association of Queensland Secretary (1)
	Service Station and Convenience Store Association SSCSAQ Committee (5) Service Station and Convenience Store Association Chairman (1) Service Station and Convenience Store Association Vice Chairman (1) Service Station and Convenience Store Association Secretary (1)
	Rental Vehicle Industry Division RVID Committee (5) Rental Vehicle Industry Division Chairman (1) Rental Vehicle Industry Division Vice Chairman (1) Rental Vehicle Industry Division Secretary (1)
	Auto Parts Recyclers Division APRD Committee (5) Auto Parts Recyclers Division Chairman (1) Auto Parts Recyclers Division Vice Chairman (1) Auto Parts Recyclers Division Secretary (1)

B	District Representative Far North Queensland (1)
	District Representative Central Queensland (1)
C	MTA Queensland Chairman (1)
	MTA Queensland Vice Chairman (1)
	MTA Queensland Secretary (1)

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 Direct Vote:

- Division Committee Member;
- District Representatives; and

Elected by Collegiate Vote:

- Division Chairman, Vice Chairman and Secretary
- MTA Queensland Board Chairman, Vice Chairman and Secretary

Elected by:

- The electorate for the direct voting system for A:
 - Committee is the whole of each Division
 - Chairman, Vice Chairman and Secretary of each Division the collegiate electoral system is by and from the Elected Committee Representatives
- The electorate for the direct voting system for B is by and from the Members in each District
- The electorate for collegiate electoral system for C is by and from the Elected Industry Chairman and District Representatives

Nominations open:

- For offices to be elected by direct voting system for A Committee Members and B District Representatives – 1 May (Rule 13.1(a))
- For offices to be elected by collegiate voting system for A Chairman, Vice Chairman and Secretary – 26 July (Rule 18(e) (i) (A))
 - The Manager will conduct an election by secret ballot at the first meeting of the relevant college following the close of nominations (AGM) (Rule 18(f) (i))
- For offices to be elected by collegiate election for C – 01 October (Rule 18(e) (ii) (A))

Nominations close:

- For offices to be elected by direct voting system for A Committee Members and B District Representatives - 12 noon, 01 June (Rule 13.1(b))
 - Candidate may withdraw nomination 10 June
 - Defective nominations to be rectified 10 June
 - Opening date for secret ballot (if required) 25 June
 - Closing date for secret ballot (if required) 16 July
- For offices to be elected by collegiate voting system for A Chairman, Vice Chairman and Secretary – 12 noon, 9 August (Rule 18(e) (i) (B))
- For offices to be elected by collegiate election for C - 15 October (Rule 18(e) (ii) (b))

Cut off date for roll:

- In all cases – Both the eligible member and the Member they are nominating for office must have been a financial Member for a period of thirty (30) days prior to the opening date for nominations (Rule 13.5(b))

Note:**Rule 12.3 Dates**

Should any of the dates specified in these Rules for the appointment of Elected Office Holders fall on a non-business day, the revised date will be taken to be the first business day following the original date. If a date is revised all other dates are to remain as specified in these Rules for the appointment of Elected Office Holders.