



23 May 2018

Mr Brendan Woods
President
Traffic Management Association of Australia
tmaa@tmaa.asn.au

Dear Mr Woods,

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 and contested offices for scheduled election [E2017/217]. 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 Traffic Management Association of Australia 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>						

17/05/2018

Post-election Reports

Traffic Management Association of Australia (TMAA) - E2017/217

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Election(s) Covered in this Report

Election Decision No/s: E2017/217

Rules

Rules used for the election: 013Q: Incorporates alterations of 13 September 2017 [R2017/77 and R2017/151] Replaces rulebook dated 16 November 2016 [R2016/257]

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

Roll of Voters

As there were no contested offices for the Members of the Management Committee, no Roll of Voters was required.

The Collegiate Election for the Management Committee a Roll of Voters was required:

Total number of voters on the Roll:	6
Number of apparent workplace addresses:	6
Number of non-current addresses:	0
Other matters pertaining to the roll of voters:	0

Irregularities

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

Other irregularities identified, and action taken: NIL

Other Matters

NIL

Attachment

- 1) Declaration of results for Uncontested Offices for the Members of the Management Committee.
- 2) Declaration of results for Contested and Uncontested Offices of the Management Committee.



Gloria Gillespie
Returning Officer

17/05/2018

Traffic Management Association of Australia
DECLARATION OF RESULTS - E2017/217
Contested and 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:

Management Committee

Total number of persons on the roll of voters	6
Ballot Papers Issued	6
Replacement ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	6
Ballot papers/envelopes returned for scrutiny	6
Less ballot papers/envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
TOTAL BALLOT PAPERS	6
Percentage of ballot papers returned to number issued	100%
Ballot papers returned as unclaimed mail by closing date of ballot	0
Ballot papers not returned	0

President (1)

<u>Candidate/s</u>	<u>Final Votes</u>
KELLY Paul	1
O'DWYER Stephen	5

Total votes	6
Formal ballot papers	6
Informal ballot papers	0

I declare the following elected:

- O'DWYER Stephen

Vice-President (1)

Candidates
KELLY, Paul

Treasurer (1)

Candidates
WHITE, Andrew

Secretary (1)

Candidates
STORNOWAY O'MEARA, Camille

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

G. Gillespie

Gloria Gillespie
Returning Officer
Australian Electoral Commission
16/05/2018



16 March 2018

Mr Brendan Woods
President
Traffic Management Association of Australia

Dear Mr Woods,

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 the Traffic Management Association of Australia [E2017/217]. 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 Traffic Management Association of Australia 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;
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Regards

Declan Clifford
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.
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[delete all that do not apply]

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 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.

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<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>
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		<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>						

Traffic Management Association of Australia
E2017/217
Member of the Management Committee

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.

Queensland

Member of the Management Committee (1)

Candidates:

KELLY Paul

New South Wales

Member of the Management Committee (1)

Candidates:

MAGUIRE Tony

Victoria

Member of the Management Committee (1)

Candidates:

SIMMONS Anthony

South Australia

Member of the Management Committee (1)

Candidates:

WHITE Andrew

Western Australia

Member of the Management Committee (1)

Candidates:

O'DWYER Stephen

Northern Territory

Member of the Management Committee (1)

Candidates:

HEASLIP Damien

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



Gloria Gillespie
Returning Officer

05 February 2018



DECISION

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

Traffic Management Association of Australia
(E2017/217)

MR ENRIGHT

MELBOURNE, 22 NOVEMBER 2017

Arrangement for conduct of election.

[1] On 9 November 2017 the Traffic Management Association of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Member of the Management Committee	(6)
President	(1)
Vice-President	(1)
Treasurer	(1)
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

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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, Brendan Woods, being the President of the Traffic Management Association of Australia (TMAA) make the following statement:

1. I am authorised to sign this statement containing prescribed information for TMAA and its Divisions.
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 election of the TMAA Management Committee is required as the two year tenure ends in April 2018. As per TMAA rules, the Management Committee is elected via a two tier system, with representatives elected from each Division. The Management Committee positions of President, Treasurer, Vice President and Secretary, are elected by secret ballot at the TMAA Annual General Meeting. The TMAA Annual General Meeting is scheduled for Friday 27 April 2018, at the RACV Royal Pines, Gold Coast, Queensland, at 4.30 pm.
5. This statement **was** lodged at least 2 months before nominations open for the election below.

Signed:

A handwritten signature in black ink, appearing to be 'B Woods', written over a faint circular stamp.

Dated: 6 November 2017

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]



ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Casual vacancy;</i>	Electorate
<i>All Divisions</i>	<i>Committee of Management Member</i>	<i>6</i>	<i>DVS</i>	<i>End of tenure</i>	<i>All members of TMAA Divisions</i>
<i>Elected Division Representatives</i>	<i>President, Vice President, Treasurer, Secretary</i>	<i>4</i>	<i>CES</i>	<i>End of tenure</i>	<i>All elected Division Representatives</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>To be determined by the returning officer</i>	<i>To be determined by the returning officer</i>
Nominations CLOSE	<i>To be determined by the returning officer</i>	<i>To be determined by the returning officer</i>
Roll of Voters cut off date	<i>To be determined by the returning officer</i>	<i>To be determined by the returning officer</i>

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as *'to be determined by the returning officer'*. Casual vacancies must be accompanied by proof of resignation and attached to this statement.

svc-adlib5

From: Louise Van Ristell <tmaa@tmaa.asn.au>
Sent: Monday, 6 November 2017 6:59 AM
To: ROC - Registered Org Commission
Subject: E2017/217 TMAA DRAFT PRESCRIBED INFORMATION FOR TMAA MANAGEMENT COMMITTEE ELECTION
Attachments: TMAA Prescribed Information for TMAA Management Committee Election - November 2017.docx

[E2017/217](#)

Good morning

Please find attached the draft Prescribed Information for the TMAA Management Committee election. Could you please advise if this is suitable for your requirements with regard to information for the two tiered election which occurs every two years according to the TMAA rules.

I look forward to your response and will then submit the signed final PI from the TMAA President, following your comments.

Warm regards

Louise Van Ristell
National Communications and Member Relations

w: www.tmaa.asn.au
e: tmaa@tmaa.asn.au
p: 1300 798 772
po box 474
ALBION DC 4010



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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*

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Signed:

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<i>Elected Division Representatives</i>	<i>President, Vice President, Treasurer, Secretary</i>	<i>4</i>	<i>CES</i>	<i>End of tenure</i>	<i>All elected Division Representatives</i>

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Roll of Voters cut off date	<i>To be determined by the returning officer</i>	<i>To be determined by the returning officer</i>

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as ‘to be determined by the returning officer’. Casual vacancies must be accompanied by proof of resignation and attached to this statement.

svc-adlib5

From: Louise Van Ristell <tmaa@tmaa.asn.au>
Sent: Tuesday, 3 October 2017 11:47 AM
To: GALLICHIO,Sam
Subject: FW: Election - courtesy letter
Attachments: ORG_Election_courtesy.doc

Hi Sam

Thanks for your email. We will be having an election in late April 2018, so I usually lodge the PI in November of the previous year. Any further information would be greatly appreciated.

Warm regards

Louise Van Ristell
National Communications and Member Relations
w: www.tmaa.asn.au
e: tmaa@tmaa.asn.au
p: 1300 798 772
po box 474
ALBION DC 4010

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-----Original Message-----

From: Sam.Gallichio@roc.gov.au [<mailto:Sam.Gallichio@roc.gov.au>]
Sent: Tuesday, 3 October 2017 11:35 AM
To: tmaa@tmaa.asn.au
Subject: Election - courtesy letter

Please find attached correspondence from the Registered Organisations Commission. If you have any questions, or have received it in error, please call 1300 341 665.

Please consider the impact to the environment and your responsibility before printing this email. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.



3 October 2017

Mr Brendan Woods
President
Traffic Management Association of Australia

Sent via email: tmaa@tmaa.asn.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Mr Woods,

Courtesy Letter - Election for offices [E2017/217]

The rules of the Traffic Management Association of Australia indicate that an election for offices within the organisation is due to commence shortly.

- Office Bearers
- Members of Management Committee

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

Reminder: prescribed information must be lodged

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 Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you do NOT agree that an election is due

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on regorgs@roc.gov.au as soon as possible.

If you agree that an election is due

If you agree that an election is due, the prescribed information must be lodged within the month. 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 <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to regorgs@roc.gov.au. When lodging the prescribed information, please quote [E2017/217]

If you are unable to lodge the prescribed information on time

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 Commissioner 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 Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

Penalties apply

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC 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.

Insufficient nominations

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on regorgs@roc.gov.au.

Yours faithfully,



Sam Gallichio
Registered Organisations Commission