



4 December 2015

Mr Frank Agostino
President
Motor Trade Association of South Australia Incorporated, The
mta@mta-sa.asn.au

Dear Mr Agostino,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/77]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Debbie Ball
Regulatory Compliance Branch

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/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

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)

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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

**Client: The Motor Trade Association of South Australia Inc
(MTA)**

ELECTIONS COVERED IN THIS REPORT

Election Decision No: *E2015/77*

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: Nil
Model Rule reference (if any): Nil

ROLL OF VOTERS

Roll provided contained all the information required to be able to apply to rules of the organisation.

IRREGULARITIES

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

ATTACHMENTS

- 1) Declaration of Uncontested Offices

A handwritten signature in black ink, appearing to read 'David Georgeson', with a small flourish at the end.

David Georgeson
Returning Officer
26 August 2015

The Motor Trade Association of South Australia Inc Executive Committee Members E2015/77

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.

Board of Management

Executive Committee Member (one at least shall be a representative of a country zone) (3)

Candidates

GUPPY, Martin John
LEWIS, Ronald Norman
ROBERTS, Peter Owen

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



David Georgeson
Returning Officer
18/08/15



DECISION

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

The Motor Trade Association of South Australia Incorporated (E2015/77)

MR ENRIGHT

MELBOURNE, 16 FEBRUARY 2015

Arrangement for conduct of election.

[1] On 16 January 2015 the Motor Trade Association of South Australia Incorporated lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Collegiate Election:

Three Board Members of the Executive Committee

[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 GENERAL MANAGER

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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 (E2015/58)

MR ENRIGHT

MELBOURNE, 4 FEBRUARY 2015

Arrangement for conduct of election.

[1] On 16 January 2015 the Motor Trade Association of South Australia Incorporated lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President

Vice President

Board Representatives - MTA Divisions:

Australian Automobile Dealers Association (SA) Division
Body Repair Specialists Division
Licensed Vehicle Dealers Division
Towing Services Division

Board Representatives - MTA Country Zones:

Central
Lower Eyre Peninsula
Mid North
South Eastern
Riverland

[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 GENERAL MANAGER

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DECLARATION

THE MOTOR TRADE ASSOCIATION OF SOUTH AUSTRALIA INCORPORATED

I, **FRANK AGOSTINO** of Level 1, 81 Greenhill Road, Wayville in the State of South Australia, **President**, DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. THAT I am the President of The Motor Trade Association of South Australia Incorporated (hereinafter referred to as MTA).
2. THAT the registered office of the MTA is Level 1, 81 Greenhill Road, Wayville, South Australia.
3. That the postal address of the office of the Association is GPO Box 2204, Adelaide in the State of South Australia, and that the telephone number is (08) 8291 2000 and the fax number is (08) 8291 2099.
4. THAT pursuant to s189 and reg. 138 of the Fair Work (Registered Organisations) Act 2009, there will be an Annual Election of the MTA (to be conducted by the Australian Electoral Commission). The proposed opening date of the calling for nominations for these positions will be at least 21 days prior to the date of the Annual General Meeting scheduled for 21st July 2015 in accordance with the MTA of SA rule 42(c). The proposed closure date of calling for nominations to fill vacancies for these positions will be 16th June 2015.

The reason for this election is that the Board office terms listed below are about to expire and their offices will now be up for re-election.

5. THAT the positions, which will be elected by the whole membership at a ballot, are as follows:
 - President
 - Vice President

Board Representatives – MTA Divisions

- Australian Automobile Dealers Association (SA) Division
- Body Repair Specialists Division
- Licensed Vehicle Dealers Division
- Towing Services Division

Board Representatives – MTA Country Zones

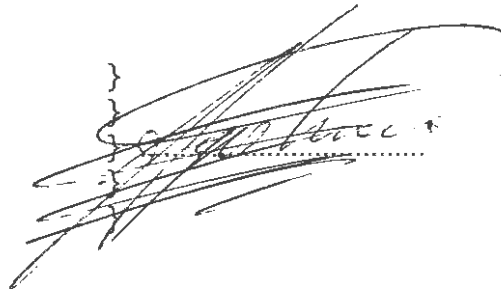
- Central
- Lower Eyre Peninsula
- Mid North
- South Eastern
- Riverland

I MAKE THIS DECLARATION in accordance with s189(1) of the Fair Work (Registered Organisations) Act 2009, conscientiously believing to be a correct statement of the information contained in the records.

DECLARED AND SUBSCRIBED

at Wayville, South Australia

This 12th day of January 2015

A handwritten signature in black ink, appearing to read "Gordon Brown", is written over a dotted line. The signature is heavily scribbled over with multiple overlapping lines.



Fair Work Australia
GPO Box 1994
Melbourne VIC 3001

Dear Sir or Madam,

Re: Election of Three Board Members to the Executive Committee

In accordance with Rule 50 to 53 of the MTA's Constitution, the Board shall at its first meeting in each year after the Annual General Meeting, proceed with the election of three Board Members to the Executive Committee.

To comply with section s189 of the Fair Work (Registered Organisations) Act 2009, we provide the following information:

- (a) three members of the Board (one of whom shall be a representative of a country zone) shall be elected by the Board to the Executive Committee (MTA Rule 47);
- (b) the reason for the election being held is that the term of the office has expired;
- (c) the election will be for three positions on the Executive Committee;
- (d) Executive Committee;
- (e) the election will be called during the Board meeting to be held on Tuesday 18th August 2015 in the MTA Board Room, MTA House, Level 1, 81 Greenhill Road, Wayville.
- (f) the voting system to be employed will be a collegiate voting system.

We would be very grateful if you could arrange for the election to be conducted by the Australian Electoral Commission.

Yours sincerely



Frank Agostino
President

12 January 2015

Postal address:

GPO BOX 2204
Adelaide SA 5001

Web: www.mta-sa.asn.au

Email: mta@mta-sa.asn.au

MTA House

Level 1, 81 Greenhill Rd
Wayville SA 5034

Ph: 08 8291 2000

Fax: 08 8291 2099

**MTA Training &
Employment Centre**

3 Frederick Rd
Royal Park SA 5014

Ph: 08 8241 0522

Fax: 08 8241 0388



Motor Trade Association
of South Australia Inc.

Fair Work Australia
GPO Box 1994
Melbourne VIC 3001

Dear Sir or Madam,

In accordance with sub section 189(1) of the the Fair Work (Registered Organisations) Act 2009 the following information is lodged for the purpose of arranging the conduct of the Annual Election of the Motor Trade Association of South Australia Incorporated, by the Australian Electoral Commission.

The proposed opening date for the calling of nominations for the positions outlined in the attached declaration will be at least 21 days prior to the date of the Annual General Meeting (scheduled for 21st July 2015) in accordance with the MTA of SA Rule 42(c). The proposed closure date of calling for nominations to fill vacancies for these positions will be 16th June 2015.

We would be very grateful if you could arrange for the election to be conducted by the Australian Electoral Commission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Frank Agostino', is written over a large, light-colored oval scribble. The signature is positioned above the printed name and title.

Frank Agostino
President

12 January 2015

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Yours sincerely



Frank Agostino
President

12 January 2015

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