



2 September 2016

Mr Frank Agostino
President
The Motor Trade Association of South Australia Incorporated

By email: mta@mta-sa.asn.au

Dear Mr Agostino,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/82]. 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 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.

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;

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- 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

Jennifer Raeburn
Regulatory Compliance Branch

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

The Motor Trade Association of South Australia Inc. E2016/82

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2016/82

RULES

Rules used for the election: 234V SA: Incorporates alterations of
18/07/2014 (R2013/376) (replaces rulebook
dated 01/01/2014 (R2013/113))

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: No ballot

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

ATTACHMENTS

Declaration of Results – Uncontested/no nomination received.



Phil Roberts
Returning Officer
30 August 2016

The Motor Trade Association of South Australia Inc. Stage 2 Board Member of Executive 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.

Board of Management

Board Member of the Executive Committee (3)

Candidates

BUTCHER, Colin David
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.



Phil Roberts
Returning Officer

16 August 2016

- The Motor Trade Association of South Australia Inc. Scheduled Election E2016/82

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.

Motor Trade Association of SA

President

Candidates

AGOSTINO, Frank

Past-President

Candidates

GIBB, Neville

Representative of Members

Candidates

POLLEY, Clive

Automotive Dismantlers Division

Board of Management Representative

Candidates

LEWIS, Ron

Auto Repair & Engineering Division

Board of Management Representative

Candidates

GOUGH, Craig

Commercial Vehicle Industry Association (SA) Division

Board of Management Representative

Candidates

LANE, Bill

Farm & Industrial Machinery Dealers Association (SA) Division

Board of Management Representative

Candidates

BUTCHER, Colin

Motorcycle Industry Association of SA Division

Board of Management Representative

Candidates

FLYNN, Mark

Service Station Division

Board of Management Representative

Candidates

STEIN, Brenton

Tyre Dealers Division

Board of Management Representative

Candidates

BALDACCHINO, Marcus

Lower North

Board of Management Representative

Candidates

JOHN, Dale

Southern

Board of Management Representative

Candidates

MCGUIRE, Mark

Upper North

Board of Management Representative

Candidates

No nomination was received

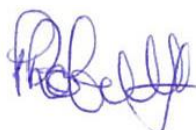
Upper Spencer Gulf

Board of Management Representative

Candidates

BUTLER, Tracy

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



Phil Roberts
Returning Officer

27 June 2016



DECISION

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

The Motor Trade Association of South Australia Incorporated (E2016/82)

MR ENRIGHT

MELBOURNE, 4 APRIL 2016

Arrangement for conduct of election.

[1] On 10 February 2016 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

Past-President

Representative of Members

Board Representatives - MTA Divisions

Automotive Dismantlers Division
Auto Repair & Engineering Division
Commercial Vehicle Industry Association (SA) Division
Farm & Industry Machinery Dealers Association (SA) Division
Motorcycle Industry Association of SA Division
Service Station Division
Tyre Dealers Division

Board Representatives - MTA Country Zones

Lower North
Southern
Upper North
Upper Spencer Gulf

Board Member of the Executive Committee (3)

[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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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 19th July 2016) 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 14th June 2016.

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

27 January 2016

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GPO BOX 2204
Adelaide SA 5001

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Email: mta@mta-sa.asn.au

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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



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 19th July 2016 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 14th June 2016.

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 (1)
 - Past President (1)
 - Representative of Members (1)

Board Representatives – MTA Divisions

- Automotive Dismantlers Division (1)
- Auto Repair & Engineering Division (1)
- Commercial Vehicle Industry Association (SA) Division (1)
- Farm & Industrial Machinery Dealers Association (SA) Division (1)
- Motorcycle Industry Association of SA Division (1)
- Service Station Division (1)
- Tyre Dealers Division (1)

Board Representatives – MTA Country Zones

- Lower North Zone (1)
- Southern Zone (1)
- Upper North Zone (1)
- Upper Spencer Gulf Zone (1)


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 27th day of January 2016

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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 16th August 2016 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**

27 January 2016

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