



DECISION

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

The Motor Trade Association of South Australia Incorporated (E2019/172)

MR ENRIGHT

MELBOURNE, 4 OCTOBER 2019

Arrangement for conduct of election.

[1] On 17 September 2019 the Motor Trade Association of South Australia Incorporated, The lodged with the Registered Organisations Commission prescribed information for an election to fill the following office due to insufficient nominations received in a previous election (**E2018/8**):

Board Representative – Country Zone

Upper North Division

(1)

[2] I am satisfied that an election for the abovenamed office 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

PR351491

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 SA Incorporated, Level 1, 81 Greenhill Road, Wayville in the State of South Australia, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Motor Trade Association of SA Incorporated.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The election that is required is set out in the table in (**Annexure 'A'**) to be conducted by the Australian Electoral Commission. The reason for these elections is that the Board office received insufficient nominations in an earlier election. Declaration of results is attached (**Annexure 'B'**).
4. A brief outline of the proposed rule alterations affecting this election is attached in (**Annexure 'C'**). These rule alterations HAVE NOT been lodged with the Fair Work Commission.
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed: _____



Dated: 17 September 2019



Election that is required

Name of Office	Number Required	Voting System	Reason for Election	Electorate
UPPER NORTH ZONE	1	Direct voting system	Casual Vacancy due to Insufficient Nominations	All Members of the Upper North Zone

Important dates:

	Direct Voting System
Nominations OPEN	As To be determined by Returning officer
Nominations CLOSE	As To be determined by Returning officer
Roll of Voters cut off date	As To be determined by Returning officer

The Motor Trade Association of South Australia Incorporated
DECLARATION OF RESULTS - E2018/8
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:

Members of The Motor Trade Association of South Australia

President (1)

Candidates

AGOSTINO, Frank

Past-President (1)

Candidates

GIBB, Neville

Representative of Members (1)

Candidates

POLLEY, Clive

Automotive Dismantlers Division

Board Representative (1)

Candidates

LEWIS, Ron

Auto Repair & Engineering Division

Board Representative (1)

Candidates

MCMICHAEL, Michael

Commercial Vehicle Industry Association (SA) Division

Board Representative (1)

Candidates

LANE, Bill



Farm and Industry Machinery Dealers Association (SA) Division

Board Representative (1)

Candidates

BUTCHER, Colin

Motorcycle Industry Association of SA Division

Board Representative (1)

Candidates

FLYNN, Mark

Service Station Division

Board Representative (1)

Candidates

STEIN, Brenton

Tyre Dealers Division

Board Representative (1)

Candidates

BALDACCHINO, Marcus

Lower North

Board Representative (1)

Candidates

JOHN, Dale

Southern

Board Representative (1)

Candidates

MCGUIRE, Mark

Upper North

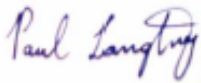
Board Representative (1)

Candidates

No Nominations Received

Upper Spencer Gulf
Board Representative (1)
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.



Paul Langtry
Returning Officer
Australian Electoral Commission

14 June 2018

● **PROPOSED RULE ALTERATIONS**

The MTA Board of Management have voted to restructure its Board of Management, Divisional Representation and modernise its current rules. They have engaged Legal Firm, Lander & Rogers to assist with this project and they are now in the process of drafting a new constitution which will be more in-line with their current member’s requirements.

Below is a proposed timeline:

Approximate Date	Action
End of August '19	Revised Constitution was finalised
End of August '19	MTA engaged with FWA for initial review
Early October '19	Notice of EGM to Membership (minimum 21days notice period)
19 November '19	EGM (for the membership to consider the changes
End of November'19	MTA to submit newly revised constitution to FWA
Early 2020	Constitution takes effect

Transitional Arrangements

A provision will be included in the new constitution which will cause the current members of the Board of Management and the Executive to form the newly created Advisory Council and New Board respectively.