



FAIR WORK  
AUSTRALIA

4 April 2011

Mr Maurie Pinfold  
President  
Motor Traders' Association of New South Wales  
Locked Bag 5012  
Darlinghurst NSW 2010

Dear Mr Pinfold

**Annual Return of Information Contained In Records Kept By Organisation – AR2011/2673**

Fair Work Australia has received your declaration dated 30 March 2011 providing information in accordance with subsection 233 of the *Fair Work (Registered Organisations) Act 2009*. The documents were lodged on 30 March 2011.

The documents lodged cover the following information:

- Number of members as at 31 December 2010.
- Declaration that the register of members was maintained as required by s230.
- List of offices of the organisation and of the persons holding those offices.
- The address of the office of the organisation.
- A statement regarding the election which is due to be held during 2012.

These documents meet the requirements of the *Fair Work (Registered Organisations) Act 2009* and have now been filed.

Yours sincerely

Michael Moutevelis  
Fair Work Australia

**MOUTEVELIS, Michael**

---

**From:** Greg Hatton [greg.hatton@mtansw.com.au]  
**Sent:** Wednesday, 30 March 2011 3:31 PM  
**To:** RIA Sydney  
**Subject:** MTA-NSW lodgement of annual return  
**Attachments:** FWA Annual Rtn - Ctee Management Statement financials, etc 300311.docx; FWA Annual Rtn S268 Certificate by CEO 300311.docx; MTA NSW FINANCIAL ACCOUNTS 2010 - FINAL.pdf; MTA NSW CONCISE FINANCIAL ACCOUNTS 2010 - FINAL.pdf; FWA Annual Rtn S237 dec 300311.docx; FWA Annual Rtn S230 dec 300311.docx

In accordance with the reporting requirements for organisations under the Fair Work (Registered Organisations) Act, 2009 and guidelines issued through your office please find following a Committee of Management Statement from the President (elected officer) of the Association in relation to resolution of the Committee of Management regarding the general purpose financial report and other matters, a certificate of the (Secretary) Chief Executive Officer re publishing and reporting of the full and concise financial reports of the association and a statement in relation to loans, grants and donations for the year 2010. In addition copies of the full and concise financial reports are included herein.

Also attached is a declaration by the appropriate elected official (President) which sets out details in relation to Section 230 of the Fair Work (RO) Act 2009.

Should you require any further detail please contact me.

Kind regards,

Greg Hatton  
Deputy CEO  
Policy & Employment Relations  
Motor Traders' Association of NSW  
(02)92134211



## DECLARATION

I, Maurie Pinfold, 1 Claremont Avenue, Greenacre in the State of New South Wales, President, do sincerely declare that the information below is the Annual Statutory Return of Information of the Organisation for the year ending 31<sup>st</sup> December 2010:

1. That the register of members has been kept and maintained as required by subsections 230(1)(a) and 230(2) during 2010. As at 31 December 2010 the organisation had 4,365 members.
2. The registered address of the office of the Association throughout 2010 was 43-51 Brisbane Street Darlinghurst 2010 whilst the postal address was Locked Bag 5012 Darlinghurst 2010.
3. In accordance with the rules of the organisation which require elections for office every two years the organisation is required to hold elections for offices commencing November 2012 to determine office bearers to take office following the annual general meeting in 2013.
4. The following is a list of offices and office holders (committee of management) of the organisation as at 31 December 2010, and who will continue in office until the conclusion of the annual general meeting of the organisation in March 2011.

### President:

Mr M. Pinfold (Maurie)  
Proprietor  
Claremont Tyrepower  
1 Claremont Avenue  
GREENACRE NSW 2190

### Secretary:

Mr D. Rowland (Don)  
Operations Manager  
Motorone Group P/L  
Unit 50 Slough Avenue  
SILVERWATER 2128

### Treasurer:

Mr B. Doyle (Brian)  
Managing Director  
Doyles Auto marine Trimmers  
P.O. Box 2092  
TAREN POINT NSW 2229

### Vice Presidents:

Mr M. Mills-Thom (Mike)  
Director  
Mills-Thom Mechanical Repairs Pty Ltd  
Unit 1, 6 June Street  
Coffs Harbour NSW 2450

Mr S. Leonard (Steve)  
Managing Director  
Just Transmissions P/L  
9B/30 Argyle Street  
Camden NSW 2570

Mr K. Webb (Kenneth)  
Director  
Dribson Pty Ltd  
1/12 Greenway Drive  
Tweed Heads Sth NSW 2486

Mr G. Judge (Graham)  
Managing Director  
TR Flanagan Smash Repairs  
496 Forest Road  
PENSHURST NSW 2222

Mr N. Oven (Neil)  
Managing Director  
E L N Ford Pty Ltd  
P.O. Box 626  
WYONG NSW 2259

Mr D. Sargent (Denis)  
Partner  
Hall Bros Enterprises  
9 Wollongong Street  
FYSHWICK ACT 2609

Mr M. Tynan-Davey (Madeline)  
Dealer Principal  
Tynan Motors P/L  
117 Princes Highway  
SYLVANIA NSW 2224

Mr S. Borg (Steve)  
General Manager  
MTA Vehicle Inspections P/L  
43-51 Brisbane Street  
DARLINGHURST NSW 2010

And I make this declaration conscientiously believing the statements contained in this declaration are those contained in the Association's records and the statements to be true and

correct.

Declared at Sydney the .....  
30th day of March 2011.

21 March 2011

Mr Greg Hatton  
Deputy CEO  
Motor Traders' Association of New South Wales  
greg.hatton@mtansw.com.au



Dear Mr Hatton

**Motor Traders' Association of New South Wales  
Annual Return of Information for 2011 [AR2011/2673]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2011 in respect of the above by **31 March 2011**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the "RO Act"] must be lodged with Fair Work Australia [FWA] by that date. The matters to be included in the declaration are set out in the attached Checklist.

The declaration must be signed by the secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (the "other prescribed officer"). A declaration signed by a non-elected person does not meet this requirement.

The secretary or other prescribed officer must also notify FWA within 35 days of any changes to such records.

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Once an Annual Return or change of records has been lodged, a copy will be posted on the FWA website at [www.fwa.gov.au](http://www.fwa.gov.au) – under *Registered organisations - List of registered organisations*. To protect the privacy of the relevant office holders listed in declarations, you may wish to list their postal, rather than home addresses.

FWA encourages you to lodge all returns electronically (e.g. as pdf files) at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au). Alternatively, you can forward the documents by fax to (02) 9380 6990 .

Please ensure that emailed documents include signatures where required e.g. by scanning the signed documents into a PDF or TIF format.

Although it is not a requirement under the RO Act, I would like to ask, where possible, if you could include a primary email point of contact for each branch office.

As technology changes, we find that we are increasingly contacting you by email, rather than fax. The respective preferred email addresses would be useful for this purpose.

Please do not hesitate to contact me on (02) 8374 6620 or by e-mail at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

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

Steve Teece  
Registered Organisations - NSW  
Fair Work Australia

## Obligation to lodge Annual Return of Information by 31 March

A copy of each of the following records must be lodged with Fair Work Australia [FWA] between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (the "other prescribed officer" see RO Regulation 150).

For full details see ss230-233 of the Fair Work (Registered Organisations) Act 2009 [the "RO Act"], and Regulations 149-151 of the Fair Work (Registered Organisations) Regulations 2009 [the "RO Regulations"].

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Requirement	Details of requirement
<b>Maintenance of Register of Members</b>	A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss230(1)(a) and (2) [s233(1)(a)]
<b>List of Offices</b>	A list of the offices in the organisation and each branch (note the definition of "office" and "officer" in ss6 and 9) [s230(1)(b)]
<b>List of Office holders</b>	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of "office" and "officer" in ss6 and 9) [s230(1)(c)]
<b>List of Branches</b>	A record of the name of each branch of the organisation [s230(1)(d) and reg. 147(a)]
<b>New Branches</b>	A record of the name of each branch that commenced operation in the previous 12 months [s230(1)(d) and reg. 147(b)]
<b>Old Branches</b>	A record of the name of each branch that ceased operation in the previous 12 months [s230(1)(d) and reg. 147(c)]
<b>Addresses of Organisation and Branches</b>	A record of the address of the office of the organisation and the address of the office of each branch [s230(1)(d) and reg. 147(d)]
<b>Elections in Organisation and Branches</b>	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s230(1)(d) and reg. 147(e)] <b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s189 of the RO Act
<b>Statement concerning number of members</b>	<ul style="list-style-type: none"> <li>• A record of the number of members on 31 December in the previous year, and:</li> <li>• if the organisation has entered into an agreement relating to members of State unions under s151(1) of the RO Act - a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s150 of the RO Act.</li> </ul> [s230(1)(d) and reg. 147(f) and (g)]

### Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with FWA, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s233(2) and RO reg. 151 refer].



FAIR WORK  
AUSTRALIA

19 January 2011

Mr Greg Hatton  
Deputy CEO  
Motor Traders' Association of New South Wales  
greg.hatton@mtansw.com.au

Dear Mr Hatton

**Motor Traders' Association of New South Wales  
Annual Return of Information for 2011 [AR2011/2673]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2011 in respect of the above by **31 March 2011**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the "**RO Act**"] must be lodged with Fair Work Australia [**FWA**] by that date. The matters to be included in the declaration are set out in the attached Checklist.

The declaration must be signed by the secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (the "other prescribed officer"). A declaration signed by a non-elected person does not meet this requirement.

The secretary or other prescribed officer must also notify FWA within 35 days of any changes to such records.

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Once an Annual Return or change of records has been lodged, a copy will be posted on the FWA website at [www.fwa.gov.au](http://www.fwa.gov.au) - under Registered organisations - List of registered organisations. To protect the privacy of the relevant office holders listed in declarations, you may wish to list their postal, rather than home addresses.

FWA encourages you to lodge all returns electronically (e.g. as pdf files) at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au). Alternatively, you can forward the documents by fax to (02) 9380 6990 .

Please ensure that emailed documents include signatures where required e.g. by scanning the signed documents into a PDF or TIF format.

Although it is not a requirement under the RO Act, I would like to ask, where possible, if you could include a primary email point of contact for each branch office.

As technology changes, we find that we are increasingly contacting you by email, rather than fax.

The respective email preferred addresses would be useful for this purpose.

Please do not hesitate to contact me on (02) 8374 6620 or by e-mail at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

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

Steve Teece  
Registered Organisations - NSW  
Fair Work Australia



## Obligation to lodge Annual Return of Information by 31 March

A copy of each of the following records must be lodged with Fair Work Australia [FWA] between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (the "other prescribed officer" see RO Regulation 150).

For full details see ss230-233 of the Fair Work (Registered Organisations) Act 2009 [the "RO Act"], and Regulations 149-151 of the Fair Work (Registered Organisations) Regulations 2009 [the "RO Regulations"].

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Requirement	Details of requirement
<b>Maintenance of Register of Members</b>	A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss230(1)(a) and (2) <i>[s233(1)(a)]</i>
<b>List of Offices</b>	A list of the offices in the organisation and each branch (note the definition of "office" and "officer" in ss6 and 9) <i>[s230(1)(b)]</i>
<b>List of Office holders</b>	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of "office" and "officer" in ss6 and 9) <i>[s230(1)(c)]</i>
<b>List of Branches</b>	A record of the name of each branch of the organisation <i>[s230(1)(d) and reg. 147(a)]</i>
<b>New Branches</b>	A record of the name of each branch that commenced operation in the previous 12 months <i>[s230(1)(d) and reg. 147(b)]</i>
<b>Old Branches</b>	A record of the name of each branch that ceased operation in the previous 12 months <i>[s230(1)(d) and reg. 147(c)]</i>
<b>Addresses of Organisation and Branches</b>	A record of the address of the office of the organisation and the address of the office of each branch <i>[s230(1)(d) and reg. 147(d)]</i>
<b>Elections in Organisation and Branches</b>	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation. <i>[s230(1)(d) and reg. 147(e)]</i> <b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s189 of the RO Act
<b>Statement concerning number of members</b>	<ul style="list-style-type: none"> <li>• A record of the number of members on 31 December in the previous year, and:</li> <li>• if the organisation has entered into an agreement relating to members of State unions under s151(1) of the RO Act - a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s150 of the RO Act.</li> </ul> <i>[s230(1)(d) and reg. 147(f) and (g)]</i>

### Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with FWA, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [*RO Act s233(2)* and *RO reg. 151* refer].