



FAIR WORK  
AUSTRALIA

28 February 2012

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

Dear Mr Pinfold

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**Annual Return of Information Contained In Records Kept By Organisation - Motor Traders'  
Association of New South Wales - (AR2012/361)**

Fair Work Australia has received your declaration dated 21 February 2012 providing information in accordance with subsection 233 of the *Fair Work (Registered Organisations) Act 2009*. The documents were lodged on 27 February 2012.

The documents lodged cover the following information:

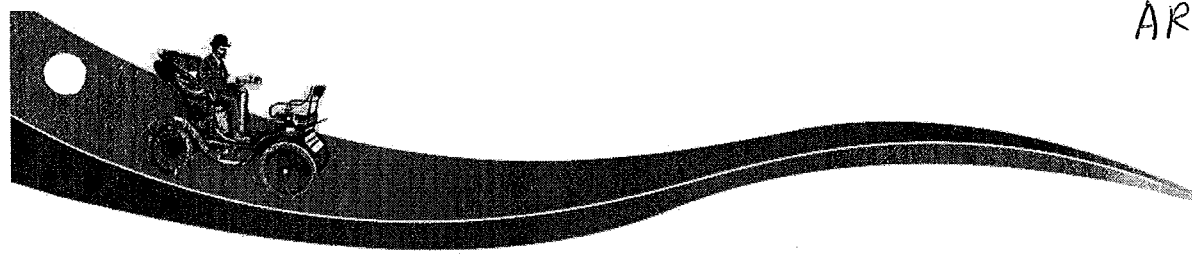
- Number of members as at 31 December 2011.
- Declaration that the register of members was maintained as required by s230.
- List of offices of the organisation and of the persons holding those offices.
- The address of the office of the organisation.
- A statement regarding the elections which are due 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

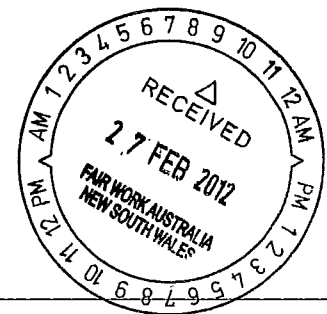
Carolyn Moloney  
Fair Work Australia

AR 2012/361



21 February, 2012

General Manager  
Fair Work Australia  
Statutory Services Branch  
Level 8, Terrace Towers  
80 William Street  
East Sydney NSW 2001



Attention: Mr Steve Teece

Dear Sir,

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 Declaration of the President (elected officer) of the Association in relation to Section 230 of the Act in relation to the register of members, registered office of the Association, membership and the list of Offices and Office Holders.

Thank you for your assistance and should you require any further detail please contact me.

Yours faithfully  
Motor Traders' Association of NSW

Greg Hatton  
Deputy CEO,  
Policy & Employment Relations


Motor Traders' Association - Voice of the Motor Industry

43 - 51 Brisbane Street Darlinghurst Locked Bag 5012 Darlinghurst NSW 2010  
P: 02 9213 4222 F: 02 9212 6889  
Website: [www.mtansw.com.au](http://www.mtansw.com.au)  
ABN: 63 000 008 088

## 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 2011:

1. That the register of members has been kept and maintained as required by subsections 230(1)(a) and 230(2) during 2011. As at 31 December 2011 the organisation had 4,154 members.
2. The registered address of the office of the Association throughout 2011 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 2011, and who will continue in office until the conclusion of the annual general meeting of the organisation in May 2013.

<b>President:</b>	<b>Secretary:</b>	<b>Treasurer:</b>
Mr M. Pinfold (Maurie) Proprietor Claremont Tyrepower 1 Claremont Avenue GREENACRE NSW 2190	Mr D. Rowland (Don) Operations Manager Motorone Group P/L Unit 50 Slough Avenue SILVERWATER 2128	Mr P. Perdikaris (Philip) Managing Director MTA Apprenticeships Plus Ltd P.O. Box 1456 PARRAMATTA NSW 2124
<b>Vice Presidents:</b>		
Mr R. Garland (Robert) Director Advanced Automotive Taree 73 Muldoon Street TAREE NSW 2430	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 D. Marston (David) Managing Director Sutherland Shire Home Tuning Services 7/555 Princes Highway GYMEA NSW 2227	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 T. Sarina (Tod) Managing Director Sarina Prestige Smash Repairs 81 Kurrajong Avenue MOUNT DRUITT NSW 2770	Mr S. Borg (Steve) Consultant 	

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.



.....  
M. Pinfold

Declared at Sydney the 21<sup>st</sup> day of February, 2012.



FAIR WORK  
AUSTRALIA

30 January 2012

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  
Statutory Annual Return of Information (Addresses, Branches, Membership and Office Holders,  
etc). for 2012 [AR2012/361]**

This is a courtesy letter to remind you of the obligation to lodge the Statutory Return of Information required each year by section 233 of the Fair Work (*Registered Organisations*) Act 2009 [the "RO Act"] by **31 March 2012**.

The Statutory Return must include a signed and dated declaration certifying the facts referred to in sub-section 233(1)(a) and must include a certified copy of the records and information prescribed by sub-section 230(1). For your convenient reference, the facts and details to be covered by 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 subsequent changes to such records.

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

Once the Statutory Return or a notification of any subsequent 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 strictly 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.

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  
Organisations, Research & Advice  
Fair Work Australia

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## 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*].