

**NSW Farmers' (Industrial) Association  
Scheduled Election 2012  
DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

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.

E2012/297

**NSW Farmers' Industrial Association**

**President**

Candidate

SIMSON, Fiona

**Vice-President**

Candidate

HORAN, Mark

**Treasurer**

Candidate

ARCHER, Sam

**Chief Executive**

Candidate

BRAND, Matt

**Trustee**

Candidate


NSW Farmers' Superannuation Co. Pty Ltd.

**Executive Committee Members (6)**

Candidates

CARTER, Peter  
CHAMEN, Richard  
CLARKE, David  
DALTON, Helen J.  
DARLEY, Peter  
DUNFORD, Wayne

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



Noopur Madan  
Returning Officer  
25 July 2012



**AEC**

Australian Electoral Commission



Fair Work (Registered Organisations) Act 2009  
**POST ELECTION REPORT**

**Client:** New South Wales Farmers (Industrial) Association**Contact details:** Matthew Brand  
Chief Executive**Email:** kusumag@nswfarmers.org.au  
**Tel:** 02 8251 1874**AIR contact officer:** Carolyn Moloney**Email:** carolyn.moloney@fwa.gov.au  
**Tel:** 03 8374 6637**ELECTIONS COVERED IN THIS REPORT****Election Decision No/s:** E2012/297**RULES****Rules used for elections Rule ID:**

[054N:Incorporates alteration of 3/6/2004 in matter R2004/315 ]

**Rules difficult to apply/interpret:**

None

**Model Rule reference (if any):****ROLL OF VOTERS**

As there were no contested offices, the Roll of Voters was not required.

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

Details of written allegations of irregularities, and action taken by AEC:

None

Other irregularities identified, and action taken:

None

**ATTACHMENTS****A:** Declaration of Uncontested OfficesNoopur Madan  
Returning Officer  
26 July 2012



FAIR WORK  
AUSTRALIA

29 June 2012

Mr Matthew Brand  
Chief Executive  
NSW Farmers' (Industrial) Association  
GPO Box 1068  
SYDNEY NSW 2001

Dear Mr Brand,

**Re: Arrangements for the conduct of an election - NSW Farmers' (Industrial) Association  
(E2012/297)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

Carolyn Moloney  
Fair Work Australia



FAIR WORK  
AUSTRALIA

## DECISION

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

**NSW Farmers' (Industrial) Association**  
(E2012/297)

AILS A CARRUTHERS

MELBOURNE, 29 JUNE 2012

*Arrangement for conduct of election.*

[1] On 14 June 2012 the NSW Farmers' (Industrial) Association lodged with Fair Work Australia prescribed information in relation to an election.

[2] On 18 June 2012, Fair Work Australia wrote to the abovenamed organisation to inform them that under section 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act) prescribed information must be lodged before the prescribed day, and that as on this occasion the prescribed information was not lodged before the prescribed day, a request for an extension of time would be required. The correspondence also stated that an election was required for the office of Trustee.

[3] On 20 June 2012, the abovenamed organisation lodged a written request for an extension of time for lodgment in accordance with s.189(2) of the Act, and also lodged amended prescribed information in relation to an election for the following offices:

President	(1)
Vice President	(1)
Treasurer	(1)
Chief Executive	(1)
Trustee	(1)
Executive Committee Members	(6)

[4] 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  
FAIR WORK AUSTRALIA

Printed by authority of the Commonwealth Government Printer  
<Price code A, PR525209 >

## **MOLONEY, Carolyn**

---

**From:** MOLONEY, Carolyn  
**Sent:** Friday, 29 June 2012 4:22 PM  
**To:** 'Industrial Elections'  
**Subject:** E2012/297  
**Attachments:** E2012\_297 signed decision\_29062012.pdf; E2012\_297 NIFA\_letter to AEC\_22062012.doc

Dear AEC

Please find attached a copy of the Decision for the upcoming election of NSW Farmers' (Industrial) Association (E2012/297).

Kind regards,

**CAROLYN MOLONEY**  
Administrative Officer  
Organisations, Research and Advice

**Fair Work Australia**  
Tel: 02 8374 6637  
Fax: 02 9380 6990  
[carolyn.moloney@fwa.gov.au](mailto:carolyn.moloney@fwa.gov.au)

Level 8, Terrace Tower, 80 William Street  
East Sydney NSW 2011

[www.fwa.gov.au](http://www.fwa.gov.au)



FAIR WORK  
AUSTRALIA

29 June 2012

Electoral Commissioner Through  
Australian Electoral Officer (industrial.elections@acc.gov.au)

Under subsections 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

**E No 2012/297**

**RE: NSW Farmers' (Industrial) Association**

Positions:

See Decision

Relevant Information:

Contact: Matthew Brand, Chief Executive, NSW Farmers' (Industrial) Association

Phone: (02) 8251 1700

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at [industrial.elections@fwa.gov.au](mailto:industrial.elections@fwa.gov.au).

David Vale  
Fair Work Australia

**MOLONEY, Carolyn**

---

**From:** MOLONEY, Carolyn  
**Sent:** Wednesday, 20 June 2012 2:48 PM  
**To:** 'Industrial Elections'  
**Subject:** E2012/297  
**Attachments:** 054N NFIA Farmers 03 Jun 2004.pdf; NFIA E2012\_297 Amended PI lodged 20062012.pdf

Dear AEC

Please find attached an amended prescribed information and a copy of the current rulebook for the NSW Farmers' Industrial Association for its upcoming scheduled election (E2012/297).

Kind regards,

**CAROLYN MOLONEY**  
Administrative Officer  
Organisations, Research and Advice

**Fair Work Australia**  
Tel: 02 8374 6637  
Fax: 02 9380 6990  
[carolyn.moloney@fwa.gov.au](mailto:carolyn.moloney@fwa.gov.au)

Level 8, Terrace Tower, 80 William Street  
East Sydney NSW 2011

[www.fwa.gov.au](http://www.fwa.gov.au)

---

**From:** MOLONEY, Carolyn  
**Sent:** Thursday, 14 June 2012 12:57 PM  
**To:** 'Industrial Elections'  
**Subject:** E2012/297

Dear AEC

Please find attached prescribed information and a copy of the current rulebook for the NSW Farmers' Industrial Association for its upcoming scheduled election (E2012/297).

Kind regards,

**CAROLYN MOLONEY**  
Administrative Officer  
Organisations, Research and Advice

**Fair Work Australia**  
Tel: 02 8374 6637  
Fax: 02 9380 6990  
[carolyn.moloney@fwa.gov.au](mailto:carolyn.moloney@fwa.gov.au)

Level 8, Terrace Tower, 80 William Street  
East Sydney NSW 2011

[www.fwa.gov.au](http://www.fwa.gov.au)





Industrial  
Association



18 June 2012

David Vale  
Manager, Organisations, Research and Advice - NSW  
Fair Work Australia  
Level 8, Terrace Tower  
80 William Street  
East Sydney NSW 2011

Dear Mr. Vale,

**REQUEST FOR EXTENSION OF TIME TO LODGE PRESCRIBED INFORMATION FOR  
UPCOMING ELECTION**

---

Thank you for your letter dated 18 June 2012.

I am writing to request for extension of time to lodge prescribed information as required by Section 189(1) of the *Fair Work Registered Organisations) Act 2009* and regulation 138 of the *Fair Work (Registered Organisations) Regulation*.

The notification was not submitted within the prescribed period as management has been short staffed and the resources have been directed at the various statutory reviews that were undertaken in May. NSW Farmers (Industrial) Association (NFIA) lodged the notification in similar time frame as previous years without fully understanding the prescribed time frame. I apologise for the oversight and for any inconvenience caused by this delay.

Should you require any further information please contact Gracia Kusuma direct on (02) 8251 1883.

Yours sincerely,

Matt Brand  
Chief Executive  
NSW Farmers (Industrial) Association



## Industrial Association

18 June 2012

David Vale  
Manager, Organisations, Research and Advice - NSW  
Fair Work Australia  
Level 8, Terrace Tower  
80 William Street  
East Sydney NSW 2011

Dear Mr Vale,

### **PRESCRIBED INFORMATION FOR THE CONDUCT OF AN ELECTION**

Pursuant to Section 189(1) of the *Fair Work (Registered Organisations) Act 2009* and regulation 138 of the *Fair Work (Registered Organisations) Regulation*, I inform you of the following prescribed information:

Section 189(1):

(a) An election is required in respect of each of the following offices:

- (i) President
- (ii) Vice President
- (iii) Treasurer
- (iv) Other members of the Executive Committee (6 positions)
- (v) Chief Executive
- (vi) Trustee

(b) The election is required as the term of office for each of the positions specified in (i) to (vi) will shortly expire.

(c) All members of the NSW Farmers' (Industrial) Association are eligible to vote.

(d) The next Annual General Meeting of members of the Association will be held at the Civic Pavilion, The Concourse, Chatswood (409 Victoria Avenue) commencing at 8:30 am on Wednesday, 18 July 2012, with elections scheduled for 5:30 pm 19 July 2012 to enable members present to nominate candidates for offices listed in (a).

Rules 22(i) (Nomination – President, Vice President, Treasurer), 23(ii) (Nomination – Executive Committee), 24 (ii) (Scope of Election – Trustee), 25 (i) (Nomination – Chief Executive) and 36(i) (Nominations at Annual General Meeting) provide nominations of candidates for the offices referred to therein to be made at the Annual General Meeting.



## Industrial Association

(e) A direct voting system is to be employed in the conduct of election.

(f) The roll of voters shall close 7 days before the date of the Annual General Meeting pursuant to rule 36(i).

I am an officer of the Association duly authorised to make this statement pursuant to Section 189 of the schedule.

I hereby request that the Registrar notify the Australian Electoral Commission of our forthcoming AGM and the requirement for them to conduct an election if necessary.

Should you require any further information please contact Gracia Kusuma direct on (02) 8251 1883 or at the abovementioned address.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Brand', with a long horizontal stroke extending to the right.

Matt Brand  
Chief Executive  
NSW Farmers (Industrial) Association

## **MOLONEY, Carolyn**

---

**From:** MOLONEY, Carolyn  
**Sent:** Monday, 18 June 2012 12:03 PM  
**To:** 'industrial@nswfarmers.com.au'  
**Subject:** Prescribed Information for Committee Members and Chief Executive E2012/297  
**Attachments:** NFIA E2012\_277 Amended PI req letter sent\_18062012.pdf

Attention: Mr Matthew Brand

Good morning Mr Brand,

Please find attached a letter requesting amended prescribed information for your recent application for an election for offices of the Association. The letter was also sent by fax and post.

If you have any enquiries regarding this matter, please do not hesitate to contact us on the details provided.

Kind regards,

**CAROLYN MOLONEY**  
Administrative Officer  
Organisations, Research and Advice

**Fair Work Australia**  
Tel: 02 8374 6637  
Fax: 02 9380 6990  
[carolyn.moloney@fwa.gov.au](mailto:carolyn.moloney@fwa.gov.au)

Level 8, Terrace Tower, 80 William Street  
East Sydney NSW 2011

[www.fwa.gov.au](http://www.fwa.gov.au)



# Fair Work Australia

18 June 2012

Mr Matthew Brand  
Chief Executive  
NSW Farmers' (Industrial) Association  
GPO Box 1068  
SYDNEY NSW 2001

Also by fax and email: (02) 8251 1750; [industrial@nswfarmers.com.au](mailto:industrial@nswfarmers.com.au)

Dear Mr Brand

**Re: Arrangements for the conduct of an Election  
(E2012/297)**

I refer to the prescribed information dated 4 June 2012 which was lodged with Fair Work Australia (**FWA**) on 14 June 2012, for the conduct of a scheduled election for offices of the NSW Farmers' (Industrial) Association (**NFIA**).

Before an election can be arranged FWA requires additional prescribed information that provides for the office of Trustee pursuant to rules 20(v) and 24 of the NFIA rulebook. According to FWA records, the last Trustee was declared elected on 11/08/2008 in matter E2008/209 for a four year term, which is now due to expire.

In addition, s.189(2) of the *Fair Work (Registered Organisations) Act 2009* states that the prescribed information must be lodged before the prescribed day, which under regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*, is two months before the first day when a person may become a candidate. Since s.189(2) is a penalty provision and the prescribed information for this election was not lodged before the prescribed day, the Delegate of the General Manager will now require a written request for an extension of time and providing the reasons why it was not lodged before the prescribed day.

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

David Vale  
Manager, Organisations, Research and Advice - NSW  
Fair Work Australia

## TRANSACTION REPORT

18/JUN/2012/MON 12:10

## FAX (TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	18/JUN	12:10	0282511750	0:00:17	1	MEMORY OK	SG3 8293



Fair Work  
Australia

18 June 2012

Mr Matthew Brand  
Chief Executive  
NSW Farmers' (Industrial) Association  
GPO Box 1068  
SYDNEY NSW 2001

Also by fax and email: (02) 8251 1750; [industrial@nswfarmers.com.au](mailto:industrial@nswfarmers.com.au)

Dear Mr Brand

**Re: Arrangements for the conduct of an Election  
(E2012/297)**

I refer to the prescribed information dated 4 June 2012 which was lodged with Fair Work Australia (FWA) on 14 June 2012, for the conduct of a scheduled election for offices of the NSW Farmers' (Industrial) Association (NFIA).

Before an election can be arranged FWA requires additional prescribed information that provides for the office of Trustee pursuant to rules 20(v) and 24 of the NFIA rulebook. According to FWA records, the last Trustee was declared elected on 11/08/2008 in matter E2008/209 for a four year term, which is now due to expire.

In addition, s.189(2) of the *Fair Work (Registered Organisations) Act 2009* states that the prescribed information must be lodged before the prescribed day, which under regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*, is two months before the first day when a person may become a candidate. Since s.189(2) is a penalty provision and the prescribed information for this election was not lodged before the prescribed day, the Delegate of the General Manager will now require a written request for an extension of time and providing the reasons why it was not lodged before the prescribed day.

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

David Vale  
Manager, Organisations, Research and Advice - NSW  
Fair Work Australia

**MOLONEY, Carolyn**

---

**From:** MOLONEY, Carolyn  
**Sent:** Thursday, 14 June 2012 12:57 PM  
**To:** 'Industrial Elections'  
**Subject:** E2012/297  
**Attachments:** NFIA E2012\_297 PI lodged 14062012.pdf; 054N NFIA Farmers 03 Jun 2004.pdf

Dear AEC

Please find attached prescribed information and a copy of the current rulebook for the NSW Farmers' Industrial Association for its upcoming scheduled election (E2012/297).

Kind regards,

**CAROLYN MOLONEY**  
Administrative Officer  
Organisations, Research and Advice

**Fair Work Australia**  
Tel: 02 8374 6637  
Fax: 02 9380 6990  
[carolyn.moloney@fwa.gov.au](mailto:carolyn.moloney@fwa.gov.au)

Level 8, Terrace Tower, 80 William Street  
East Sydney NSW 2011

[www.fwa.gov.au](http://www.fwa.gov.au)

EZ012/297



Industrial  
Association

4 June 2012

Bernadette O'Neill  
General Manager  
Fair Work Australia  
Level 8, Terrace Tower  
80 William Street  
East Sydney NSW 2011



Dear Ms. O'Neill,

**PRESCRIBED INFORMATION FOR THE CONDUCT OF AN ELECTION**

Pursuant to Section 189(1) of the *Fair Work (Registered Organisations) Act 2009* and regulation 138 of the *Fair Work (Registered Organisations) Regulation*, I inform you of the following prescribed information:

Section 189(1):

(a) An election is required in respect of each of the following offices:

- (i) President
- (ii) Vice President
- (iii) Treasurer
- (iv) Other members of the Executive Committee (6 positions)
- (v) Chief Executive

(b) The election is required as the term of office for each of the positions specified in (i) to (v) will shortly expire.

(c) All members of the NSW Farmers' (industrial) Association are eligible to vote.

(d) The next Annual General Meeting of members of the Association will be held at the Civic Pavilion, The Concourse, Chatswood (409 Victoria Avenue) commencing at 8:30 am on Wednesday, 18 July 2012, with elections scheduled for 5:30 pm 19 July 2012 to enable members present to nominate candidates for offices listed in (a).

Rules 22(i) (Nomination – President, Vice President, Treasurer), 23(ii) (Nomination – Executive Committee), 25 (i) (Nomination – Chief Executive) and 36(i) (Nominations at Annual General Meeting) provide nominations of candidates for the offices referred to therein to be made at the Annual General Meeting.

**NSW Farmers' Industrial Association**  
ABN 49 058 101 237 GPO Box 1068 Sydney NSW 2001 Level 25 66 Goulburn Street Sydney NSW 2000  
Member Service Centre 1300 794 000 T 02 8251 1700 F 02 8251 1750 W [www.iressential.com](http://www.iressential.com)





## Industrial Association

(e) A direct voting system is to be employed in the conduct of election.

(f) The roll of voters shall close 7 days before the date of the Annual General Meeting pursuant to rule 36(i).

I am an officer of the Association duly authorised to make this statement pursuant to Section 189 of the schedule.

I hereby request that the Registrar notify the Australian Electoral Commission of our forthcoming AGM and the requirement for them to conduct an election if necessary.

Should you require any further information please contact Gracia Kusuma direct on (02) 8251 1883 or at the abovementioned address.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Brand', written over a horizontal line.

Matt Brand  
Chief Executive  
NSW Farmers (Industrial) Association