



31 October 2016

Mr Michael Kerschbaum  
Executive Director  
Master Builders' Association of Tasmania Inc.  
michael@mbatas.org.au

Dear Mr Kerschbaum,

### **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 of Stages 1, 2 and 3 uncontested and contested positions [E2016/65]. 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. A list of approved training providers is attached.

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 Master Builders' Association of Tasmania Inc. 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:

11 Exhibition Street  
Melbourne VIC 3000  
GPO Box 1994  
Melbourne VIC 3001

Telephone: (03) 8656 4753  
Email : [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)  
Internet : [www.fwc.gov.au](http://www.fwc.gov.au)

- the name of the office now held;
- 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Marianne Kay  
Regulatory Compliance Branch

# List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 <a href="mailto:ceo@ahawa.asn.au">ceo@ahawa.asn.au</a>
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 <a href="mailto:imacdonald@bic.asn.au">imacdonald@bic.asn.au</a>
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 <a href="mailto:jenifer.leuba@aigroup.asn.au">jenifer.leuba@aigroup.asn.au</a>
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 <a href="mailto:members@nat.awu.net.au">members@nat.awu.net.au</a>
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	<a href="#">AICD state-based contacts</a>
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 <a href="mailto:orgcentre@actu.org.au">orgcentre@actu.org.au</a>
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 <a href="mailto:dennisr@wwr.com.au">dennisr@wwr.com.au</a>
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 <a href="mailto:learning@lgnsw.org.au">learning@lgnsw.org.au</a>
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 <a href="mailto:ceo@aha.org.au">ceo@aha.org.au</a>
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 <a href="mailto:tom@dws.net.au">tom@dws.net.au</a>
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 <a href="mailto:vibeprctraining@bigpond.com">vibeprctraining@bigpond.com</a>
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	<a href="mailto:andrew.johnson@lgrceu.org">andrew.johnson@lgrceu.org</a>
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	<a href="mailto:paulm@mtaq.com.au">paulm@mtaq.com.au</a>

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

*[delete all that do not apply]*

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  1. *[include OLD name and address and NEW name and address of every branch that has changed]*
  2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*
    2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

## ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:  
Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						

Fair Work (Registered Organisations) Act 2009

## POST ELECTION REPORT

### Master Builders Association of Tasmania

#### ELECTIONS COVERED IN THIS REPORT

Election Decision Number: E2016/65

#### RULES

Rules used for the election: 004T: Incorporates alterations of 06/05/2015 (R2015/4)

Rules difficult to apply/interpret: Nil

Model Rule reference: N/A

#### ROLL OF VOTERS

There were no issue with Rolls of Voters.

#### IRREGULARITIES

No irregularities were identified.

#### ATTACHMENTS

- 1) Declaration of Results for Contested and Uncontested Offices – Stage 1
- 2) Declaration of Results for Contested and Uncontested Offices – Stage 2
- 3) Declaration of Results for Uncontested Offices – Stage 3



Michael Horwood  
Returning Officer

19 October 2016

# Master Builders' Association of Tasmania

## Scheduled Elections - Stage 1

### Declaration of Results for Contested and Uncontested Offices

E2016/65

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.

#### Tasmania Investment Committee Member (5)

##### Candidates

BENNETT, Andrew  
FAULKNER, John  
LICHT, Wayne Herman  
MOODY, David  
REID, Denis James

I declare Andrew Bennett, John Faulkner, Wayne Herman Licht, David Moody and Denis James Reid elected.

#### Northern Region Regional Management Committee Member (at least one from General Contractor/Commercial or Housing) (6)

##### Candidates

BROWN, Derrick Gordon  
BURLEIGH, Craig Peter  
FAULKNER, John David  
KILPATRICK, Andrew  
STREEFLAND, Anthony  
VERHULST, Barry

I declare Derrick Gordon Brown, Craig Peter Burleigh, John David Faulkner, Andrew Kilpatrick, Anthony Streefland and Barry Verhulst elected.

#### Southern Region Regional Management Committee Member (at least one from General Contractor/Commercial or Housing) (6)

##### Candidates

BETTS, Rod  
FENTON, Lyndon  
OAKES, Russell  
REID, Denis James

I declare Rod Betts, Lyndon Fenton, Russell Oakes and Denis James Reid elected.  
No other nominations received.

**North-Western Region  
Regional Management Committee Member (at least one from General  
Contractor/Commercial or Housing) (6)**

Total number of names on the roll of voters	125
Ballot papers issued	125
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>125</b>
Ballot papers / envelopes returned for scrutiny	39
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>38</b>
Percentage of ballot papers returned to number issued	31
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	86

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
LICHT, Wayne Herman	35	35
MEAD, Tim	32	32
TRELOAR, Ronald	30	30
BARNES, Grant John	28	28
GATES, David	31	31
DAVIES, Luke	25	25
DAVIDSON, Shane John	26	26
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	207	207
Formal ballot papers	38	38
Informal ballot papers	0	0

I declare Grant John Barnes, Shane John Davidson, David Gates, Wayne Herman Licht, Tim Mead and Ronald Treloar elected.



Michael Horwood  
Returning Officer  
Australian Electoral Commission

24 June 2016



# Master Builders' Association of Tasmania North Western Region - Stage 2

## 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.

### North-Western Regional Management Committee

#### Regional Chairman/State Council Member

##### Candidates

BARNES, Grant

#### Regional Vice-Chairman

##### Candidates

MEAD, Tim

#### Regional Representative/State Council Member (2)

##### Candidates

GATES, David

LICHT, Wayne

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



Michael Horwood  
Returning Officer

2 August 2016

# Master Builders' Association of Tasmania Northern Region - Stage 2

## Declaration of Results for Uncontested Offices

E2016/65

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.

### Northern Regional Management Committee

#### Regional Chairman/State Council Member

Candidates

STREEFLAND, Anthony

#### Regional Vice-Chairman

Candidates

FAULKNER, John David

#### Regional Representative/State Council Member (2)

Candidates

FAULKNER, John David  
KILPATRICK, Andrew

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



Michael Horwood  
Returning Officer

2 August 2016

**Master Builders' Association of Tasmania  
Southern Region - Stage 2**

**Declaration of Results for Contested and Uncontested Offices**

**E2016/65**

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.

**Southern Regional Management Committee**

**Regional Representative/State Council Member (2)**

<u>Candidates</u>	<u>First Preference Votes</u>	
FENTON, Lyndon	3	3
OAKES, Russell	1	1
REID, Denis James	4	4
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	8	8
Formal ballot papers	4	4
Informal ballot papers	0	0

I declare Lyndon Fenton and Denis James Reid elected.

**Regional Chairman/State Council Member**

Candidates

BETTS, Roderick

I declare Roderick Betts elected.

**Regional Vice-Chairman**

Candidates

OAKES, Russell

I declare Russell Oakes elected.



Michael Horwood  
Returning Officer  
Australian Electoral Commission

2 August 2016

# Master Builders' Association of Tasmania Investment Committee - Stage 2

## Declaration of Results for Uncontested Offices

E2016/65

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.


### Investment Committee

Chairman

Candidates

LICHT, Wayne

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



Michael Horwood  
Returning Officer  
2 August 2016

# Master Builders' Association of Tasmania

## Scheduled Elections Stage 3

### Declaration of Results for Uncontested Offices

E2016/65

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.

#### State Council

##### President

###### Candidates

FENTON, Lyndon

##### Vice-President

###### Candidates

GATES, David

##### Treasurer

###### Candidates

No nomination was received

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



Michael Horwood  
Returning Officer

18 October 2016



## DECISION

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

### **Master Builders' Association of Tasmania Inc.** (E2016/65)

MR ENRIGHT

MELBOURNE, 20 APRIL 2016

*Arrangement for conduct of election.*

[1] On 15 March 2016 and 20 April 2016 the Master Builders' Association of Tasmania Inc. lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President  
Vice-President  
Treasurer  
Investment Committee Members (5)  
Investment Committee Chairman

#### Southern Region

Regional Management Committee Members  
(between 3 and 6 of which at least one must come from the General Contractor/  
Commercial or Housing Contractor membership category)

Regional Chairman/State Councillor  
Regional Representative to State Council (2)  
Regional Vice-Chairman

#### North West Region

Regional Management Committee Members  
(between 3 and 6 of which at least one must come from the General Contractor/  
Commercial or Housing Contractor membership category)

Regional Chairman/State Councillor  
Regional Representative to State Council (2)  
Regional-Vice Chairman

Northern Region

Regional Management Committee Members  
(between 3 and 6 of which at least one must come from the General Contractor/  
Commercial or Housing Contractor membership category)

Regional Chairman/State Councillor  
Regional Representative to State Council (2)  
Regional Vice-Chairman

[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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## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Wednesday, 20 April 2016 2:50 PM  
**To:** industrial.elections@aec.gov.au  
**Subject:** E2016/65 Master Builders Tasmania - Amended Prescribed Information  
**Attachments:** FW - Prescribed Information for an Election 2016 - Amended 20.04.2016.pdf

Good afternoon,

Please use the attached prescribed information in the abovementioned matter in lieu of that sent on 13 April 2016 (the declaration in the latter was incorrectly dated).

Regards,

**Mark Elliott**  
Regulatory Compliance Branch

**Fair Work Commission**

Tel: 03 8661 7899

Fax: 03 9655 0410

[mark.elliott@fwc.gov.au](mailto:mark.elliott@fwc.gov.au)

11 Exhibition Street, Melbourne, Victoria 3000

GPO Box 1994, Melbourne, Victoria 3001

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

Please be aware my telephone number has changed. My new phone number is 03 8656 4687. Please update your records accordingly

## Notice and Statement of Prescribed Information for an Election

I, Craig Edmunds, being the President of Master Builders' Association of Tasmania Inc. make the following statement:

I am the President of the Master Builders' Association of Tasmania Inc.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the electorates of Southern Region, North Western Region and Northern Region of Master Builders' Association of Tasmania Inc, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed: 

Dated: 20<sup>th</sup> April, 2016

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### Offices/Positions

<b>A</b>	MBAT Inc President Electorate: State Councillors (Collegiate Voting System)
	MBAT Inc Vice-President Electorate: State Councillors (Collegiate Voting System)
	MBAT Inc Treasurer Electorate: State Councillors (Collegiate Voting System)
<b>B</b>	<b>Regional Management Committee Members</b> (Minimum 3, Maximum 6 for each region). <i>At least one of the Regional Representatives from each region must come from the General Contractor/Commercial or Housing Contractor Membership Category</i>  Electorates: Southern Region (Minimum 3, Maximum 6), North West Region (Minimum 3, Maximum 6), Northern Region (Minimum 3, Maximum 6).  (Direct Voting System)

C	<p>Regional Management Committee Executive Members – <b>Regional Chairman</b> x 3 - State Councillor 1, State Councillor 2 and State Councillor 3.</p> <p>Electorates: Southern Region (1), North West Region (1), Northern Region (1).</p> <p>(Collegiate Voting System)</p>
C	<p>Regional Management Committee Executive Members – <b>Regional Vice Chairman</b> x 3.</p> <p>Electorates: Southern Region (1), North West Region (1), Northern Region (1).</p> <p>(Collegiate Voting System)</p>
C	<p>Regional Management Committee Executive Members – <b>Regional Representatives</b> (x 2 each Region) – State Councillor 4, State Councillor 5, State Councillor 6, State Councillor 7, State Councillor 8, State Councillor 9.</p> <p>Electorate: Southern Region (2), North West Region (2), Northern Region (2)</p> <p>(Collegiate Voting System)</p>
D	<p>Investment Committee Members (x 5)</p> <p>Electorates: Southern Region, North West Region, Northern Region</p> <p>(Direct Voting System)</p>
E	<p>Investment Committee – Chairman</p> <p>Electorate: Investment Committee</p> <p>(Collegiate Voting System)</p>

**Reasons for election:**

- Election for offices and positions marked A, B, C, D and E respectively are required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

**Elected by:**

- The electorate for the direct voting systems (B) is the whole of the Branch (Southern, North West and Northern Regions) - *Schedule II By Law 5*
- The electorate for the direct voting system (D) is the whole of the Branch (Southern, North West and Northern Regions) – *Rule 25 (a) (ii)*
- The electorate for the collegiate electoral systems (C) is by and from Regional Committee Members totalling either a minimum three (3) or maximum (6) persons – *Schedule II By Law 7*
- The electorate for collegiate electoral system (A) is by and from the State Council, totalling nine (9) persons – *Rule 15 – reference to Schedule II By Law 5*
- The electorate for collegiate electoral system (E) is by and from the Investment Committee totalling five (5) persons - *Rule 25 (a) (iii)*

**Nominations open:**

- **For offices to elected by direct voting system:**

Regional Management Committees - (Southern, North West, Northern Regions)  
Investment Committee

- **In all cases dates are to be determined by the Returning Officer in consultation with the Association**

- **For offices to be elected by collegiate election:**

Regional Management Executive Positions: (Regional Chairman/State Council member), Vice Chairman and Regional Representatives/State Council member (x 2 each region)

*Southern Region, North West Region and Northern Region*

- State Council: (President, Vice President and Treasurer)
- Investment Committee – Chairman

- **In all cases dates are to be determined by the Returning Officer in consultation with the Association**

**Nominations close:**

- **For offices to elected by direct voting system:**

- Regional Management Committees - (Southern, North West, Northern Regions)
- Investment Committee

- **In all cases dates are to be determined by the Returning Officer in consultation with the Association**

- **For offices to be elected by collegiate election:**

- Regional Management Executive Positions: (Chairman, Vice Chairman and Regional Representatives) - (Southern, North West, Northern Regions)

- State Council: (President, Vice President and Treasurer)

Investment Committee (Chairman)

- **In all cases dates are to be determined by the Returning Officer in consultation with the Association**

**Cut off date for roll:**

- **In all cases** - 7 days prior to the opening date for nominations – *Schedule II By-Law 5 (a to e)*
- Regional Management Committees – *Schedule II By-Law 5*
- Investment Committee — *Schedule II By Law 5 (a to e) with Reference to Rule 25 (b)*