

**Traffic Management Association of Australia
Traffic Management Association of Australia Election of
Office Bearers'**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2013/403

Membership

Member of the Management Committee - WA

Candidate

SCOTT, Cameron

Member of the Management Committee - Vic

Candidate

WOODS, Brendan

Member of the Management Committee - NSW

Candidate

HYNES, Stephen

Member of the Management Committee - Qld

Candidate

O'DWYER, Stephen

Member of the Management Committee - SA

Candidate

WHITE, Andrew

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



Naomi Stubbs
Returning Officer

**Traffic Management Association of Australia
Tier 2 Elections - National Office Bearers'**

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.

E2013/403

Management Committee Members

President

Candidate

O'DWYER, Stephen

Vice-President

Candidate

SCOTT, Cameron

Secretary

Candidate

WOODS, Brendan

Treasurer

Candidate

WHITE, Andrew

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



Naomi Stubbs
Returning Officer

POST ELECTION REPORT

**Traffic Management Association of Australia
2013 Elections**

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *E2013/403*

RULES

Rules used for the election: *R2011/244 – Incorporates alterations of 12/12/2011*

Rules difficult to apply/interpret: *7.7 – Rules regarding nomination and election of Officers in the Management Committee are ambiguous and extremely limited*

Model Rule reference (if any): *N/A*

ROLL OF VOTERS

As there were no contested offices, no Roll of Voters was required

IRREGULARITIES

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

Other irregularities identified, and action taken: *Nil*

ATTACHMENTS

1. Declaration of Results for Contested Offices 1st Tier – 19 March 2013.
2. Declaration of Results for Uncontested Offices 2nd Tier - 15 April 2013



Naomi Stubbs
Returning Officer

9 May 2013



FAIR WORK
AUSTRALIA

DECISION

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

Traffic Management Association of Australia
(E2012/403)

AILS A CARRUTHERS

MELBOURNE, 20 NOVEMBER 2012

Arrangement for conduct of election.

[1] On 7 and 19 November 2012 the Traffic Management Association of Australia lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Members of Management Committee (5)

President
Vice-President
Treasurer
Secretary

[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
FAIR WORK AUSTRALIA

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TRAFFIC MANAGEMENT ASSOCIATION OF AUSTRALIA (TMAA)

Election Checklist:

Regulation 138 prescribed information for election (s. 189(1) RO Act)

See below for signature of Stephen Hynes, TMAA Secretary

<p>(1) The following information is prescribed information for an election conducted for an office or for a position other than an office:</p>	
<p>(a) the name of each office or positions for which an election is required</p> <p>Therefore, elected positions required are:</p> <ul style="list-style-type: none">• Members of the Management Committee• President• Vice President• Treasurer• Secretary	
<p>(b) the reason for the election is that:</p> <p>(i) the term of the office or position has expired or is due to expire in the normal course of events; or</p>	
<p>(c) if more than one of the offices or positions for which an election is required has the same name, and the number of offices or positions can, under the rules of the relevant organisation or branch, be determined before the prescribed day — the number of those offices or positions;</p> <p>Members of the Management Committee (5)</p>	
<p>(d) if the electorate comprises only members of a branch, section or other division of an organisation — the name of the branch, section or division;</p> <ul style="list-style-type: none">• This is not applicable to the TMAA.	



- (e) the date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation or branch in relation to the election;

TMAA Rule 7.2

• **7.2 Nominations**

- (a) **Only Ordinary Members of the Organisation and their Nominated Representatives of will be eligible to vote.**
- (b) **Nominations for the Management Committee shall be called for by written notice to the Members of the Organisation with the notice of the Annual General Meeting.**
- (c) **Nominations for elections will open no less than forty-five (45) days before the Annual General Meeting.**
- (d) **Nominations shall be made in writing, signed by the nominee and two (2) other Members and lodged with the Returning Officer prior to the closing time for nominations. The nomination must specify which State the Member is from.**
- (e) **A Member of the Organisation can only nominate for one (1) position on the Management Committee.**
- (f) **The closing time for nominations shall be fixed by the Returning Officer which shall be no more than seven (7) days after the date that nominations are open.**
- (f) If a nomination is considered by the Returning Officer to be defective, the Returning Officer, before rejecting the nomination, shall notify the person concerned of the defect. Where it is practicable to do so, the Returning Officer shall give them the opportunity to remedy the defect within a period which shall be specified by the Returning Office, which period shall not be more than seven (7) days after their being so notified.

- (g) the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed;

• **TMAA Rule 7.2**

- **The closing time for nominations shall be fixed by the Returning Officer which shall be no more than seven (7) days after the date that nominations are open.**



<p>(h) the kind of voting system to be used in the conduct of the election is:</p> <ul style="list-style-type: none">(i) a direct voting system; or(ii) a collegiate electoral system. <p>[NOTE: if collegiate and for a full-time office, then it must be a 1-tier collegiate electoral system]</p> <p>TMAA rules 7.1 (e) & (f)</p> <ul style="list-style-type: none">• (e) The election of Members of the Management Committee and Officers shall be conducted by a collegiate electoral system. The Management Committee Members shall be elected on a ‘first past the post system’ provided that, subject to Rule 7.6(c), no two (2) members of the Management Committee shall be from the same State. The Offices of President, Vice-President, Treasurer and Secretary shall be elected by and from the Members of the Management Committee.• (f) The election of Members of the Management Committee shall be carried out in accordance with these rules.
<p>(2) The prescribed information lodged by an organisation or branch under subsection 189 (1) of the RO Act must contain a statement, signed by an officer of the organisation or branch who is authorised to sign the statement, that the information is lodged under subsection 189 (1) of the RO Act.</p> <ul style="list-style-type: none">• TMAA Statement attached as a separate document (19/11/12)(Letter)
<p>(3) For subsection 189 (2) of the RO Act, the prescribed day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in an election.</p> <p style="text-align: center;">Proposed Timetable TMAA</p> <p style="text-align: center;">Traffic Management Association of Australia Election 2013</p> <ul style="list-style-type: none">• Close of Rolls: Friday 8/02/2013• During week beginning Monday 11/02/13 send election



nomination information with notice of AGM

- **Nominations Open: Monday 25/02/2013**
- **Nominations Close: Monday 4/03/2013**
- **Ballot opens: Monday 18/03/2013**
- **Ballot closes: Monday 01/04/13**
- **Declare Tier 1 – Members of Management Committee declared soon after ballot closes**
- **XX
XX**
- **Tier 2 Election – Collegiate – Office Bearers at AGM : Friday
12/04/2013**
- **Hierarchical of officer Bearers: President, Vice President,
Treasurer, and then Secretary.**
- **In line with the above, a Returning Officer may be appointed with
enough time to make the necessary arrangements for the
conduct of the election.**

This Prescribed Information is lodged under Subsection 189 (1) of the RO Act.

Signed: 

Date: 19/11/2012

**Stephen Hynes
Secretary**



TRAFFIC MANAGEMENT
ASSOCIATION OF AUSTRALIA

7 November 2012

ATTENTION: EVE ANDERSON

Dear Eve

Please find attached the prescribed information for the Traffic Management Association of Australia (TMAA) annual election of office bearers according to the TMAA rules and as per the Election Checklist: regulation 138 prescribed information for election (s. 189(1) RO Act).

Please note that the Annual General Meeting (AGM) is, by this scheduled, to be held in Sydney in April 2013.

Also provided in a separate attachment to this cover letter, is the completed election checklist with all details and dates for the TMAA election.

I look forward to discussing this with you further.

Warm regards

Louise Van Ristell



**TRAFFIC MANAGEMENT ASSOCIATION OF AUSTRALIA (TMAA)
Election Checklist:
Regulation 138 prescribed information for election (s. 189(1) RO Act)**

<p>(1) The following information is prescribed information for an election conducted for an office or for a position other than a office:</p>	
<p>(a) the name of each office or positions for which an election is required</p> <ul style="list-style-type: none">• The Management Committee of the Organisation will consist of a President, Vice-President, Treasurer and Secretary being drawn from one Member or Nominated Representative from each State, providing that the State has an available Member or Nominated Representative to be elected to the Management Committee.• Therefore, elected positions required are:<ul style="list-style-type: none">• President• Vice President• Treasurer• Secretary	
<p>(b) the reason for the election is that:</p> <p>(i) the term of the office or position has expired or is due to expire in the normal course of events; or</p> <p>(ii) a casual vacancy in the office or position has occurred (or will occur imminently) [NOTE: make sure PI explains the reason for the casual vacancy and provides evidence; e.g. a copy of resignation. NOTE: if resignation in the future, require that the resignation is irrevocable]; or</p> <p>(iii) a new office or position has been created; or</p> <p>(iv) the office or position was not filled at the previous election.</p> <p>[NOTE: information about the reason should include the reason, the date, and how the event has occurred, e.g. if removal of office-holder should explain how have gone about removing the office-holder]</p> <ul style="list-style-type: none">• With regard to the TMAA election, all positions are new offices with the formation and registration of this organisation. An Interim Board of President, Vice President, Treasurer and Secretary was required for registration purposes, but will resign effectively prior to the AGM as per TMAA rule 6.13 (d).	
<p>(b) if more than one of the offices or positions for which an election is required has the same name, and the number of offices or positions can, under the</p>	



<p>rules of the relevant organisation or branch, be determined before the prescribed day — the number of those offices or positions;</p> <ul style="list-style-type: none">• This is not applicable to the TMAA.
<p>(c) if the electorate comprises only members of a branch, section or other division of an organisation — the name of the branch, section or division;</p> <ul style="list-style-type: none">• This is not applicable to the TMAA.
<p>(d) the date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation or branch in relation to the election;</p> <p>TMAA Rule 7.2</p> <ul style="list-style-type: none">• 7.2 Nominations<ul style="list-style-type: none">(a) Only Ordinary Members of the Organisation and their Nominated Representatives of will be eligible to vote.(b) Nominations for the Management Committee shall be called for by written notice to the Members of the Organisation with the notice of the Annual General Meeting.(c) Nominations for elections will open no less than forty-five (45) days before the Annual General Meeting.(d) Nominations shall be made in writing, signed by the nominee and two (2) other Members and lodged with the Returning Officer prior to the closing time for nominations. The nomination must specify which State the Member is from.(e) A Member of the Organisation can only nominate for one (1) position on the Management Committee.(f) The closing time for nominations shall be fixed by the Returning Officer which shall be no more than seven (7) days after the date that nominations are open.(g) If a nomination is considered by the Returning Officer to be defective, the Returning Officer, before rejecting the nomination, shall notify the person concerned of the defect. Where it is



<p>practicable to do so, the Returning Officer shall give them the opportunity to remedy the defect within a period which shall be specified by the Returning Office, which period shall not be more than seven (7) days after their being so notified.</p>	
<p>(e) the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed;</p> <ul style="list-style-type: none">• TMAA Rule 7.2• The closing time for nominations shall be fixed by the Returning Officer which shall be no more than seven (7) days after the date that nominations are open.	
<p>(g) the kind of voting system to be used in the conduct of the election is:</p> <p>(i) a direct voting system; or</p> <p>(ii) a collegiate electoral system.</p> <p>[NOTE: if collegiate and for a full-time office, then it must be a 1-tier collegiate electoral system]</p> <p>TMAA rules 7.1 (e) & (f)</p> <ul style="list-style-type: none">• (e) The election of Members of the Management Committee and Officers shall be conducted by a collegiate electoral system. The Management Committee Members shall be elected on a ‘first past the post system’ provided that, subject to Rule 7.6(c), no two (2) members of the Management Committee shall be from the same State. The Offices of President, Vice-President, Treasurer and Secretary shall be elected by and from the Members of the Management Committee.• (f) The election of Members of the Management Committee shall be carried out in accordance with these rules.	
<p>(2) The prescribed information lodged by an organisation or branch under subsection 189 (1) of the RO Act must contain a statement, signed by an officer of the organisation or branch who is authorised to sign the statement, that the information is lodged under subsection 189 (1) of the RO Act.</p> <ul style="list-style-type: none">• TMAA Statement attached as a separate document (14/12/11)	
<p>(3) For subsection 189 (2) of the RO Act, the prescribed day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in an election.</p>	



Proposed Timetable TMAA

Traffic Management Association of Australia Election 2013

- Close of Rolls: Friday 8/02/2013
- During week beginning Monday 11/02/13 send election nomination information with notice of AGM
- Nominations Open: Monday 25/02/2013
- Nominations Close: Monday 4/03/2013
- Ballot opens: Monday 18/03/2013
- Ballot closes: Monday 01/04/13
- Declare Tier 1 – Members of Management Committee declared soon after ballot closes
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XX
- Tier 2 Election – Collegiate – Office Bearers at AGM : Friday 12/04/2013
- Hierarchical of officer Bearers: President, Vice President, Treasurer, and then Secretary.
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