

10 October 2022

# Post-election report

Civil Contractors Federation  
Scheduled election  
E2022/84

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# Election(s) Covered in this Report

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Organisation: Civil Contractors Federation  
Election: Scheduled  
Election Decision No/s: E2022/84

## Rules

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Rules used for the election: [267V: Incorporates alterations certified on 31/12/2018 in matter R2018/292] (replaces version of 01/01/2014 [R2013/109])

Rules difficult to apply/interpret: None  
Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): Yes  
Details:

- Rules requiring an in-person ballot were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for all stakeholders to attend. Instead, the ballot was conducted via post.
- As there is no rule pertaining to the withdrawal of nominations, the Returning Officer will apply subparagraph 193(1)(b)(ii) of the Fair Work (Registered Organisation) Act 2009 to fix a closing time for the withdrawal of nominations and the withdrawal period will close at the time of closing of nominations.

## Signed

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Cameron Caccamo  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: (02) 9375 6366  
10 October 2022

# Attachments

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## A. Declaration of Results for Uncontested Offices



26 September 2022

Michael Unger  
President  
Civil Contractors Federation  
Sent via email: [ccfnat@civilcontractors.com](mailto:ccfnat@civilcontractors.com)



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/84**

Dear Michael Unger,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Civil Contractors Federation.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

**What you must do right now**

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

This letter explains these steps and the tools available to help you.

**STEP 1: Notify members**

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



**Can I put more information on our website?**

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](https://www.roc.gov.au).

**STEP 2: Financial training**

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the ROC website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the ROC within 6 months](#) of beginning to hold office.



### Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

## STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a [template](#) to help you with this, which you can send to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

**Note:** One election may result in many notifications of change.



### Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

#### ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

## Questions?



### **Why do I need to tell you the results of the election when you've already received them?**

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

### **What if the officer has already done training?**

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

## Registered Organisations Commission



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

**Civil Contractors Federation**  
**DECLARATION OF RESULTS - E2022/84**  
**Uncontested Offices**

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**Scheduled Election**

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 are:

**President (1)**

Candidates

BOYLE Mick

**Vice President (1)**

Candidates

DAMIANI Antony

**Treasurer (1)**

Candidates

ZARDO Nick

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

Cameron Caccamo  
Returning Officer  
Telephone: (02) 9375 6366  
Email: IEBevents@aec.gov.au  
26/09/2022







## DECISION

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

### **Civil Contractors Federation** (E2022/84)

MR STEENSON

SYDNEY, 12 AUGUST 2022

*Arrangement for conduct of election.*

[1] On 2 August 2022 the Civil Contractors Federation lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for a new term of office:

President	(1)
Vice President	(1)
Treasurer	(1)

[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 COMMISSIONER

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PR352310



**CIVIL CONTRACTORS  
FEDERATION**

CCF NATIONAL OFFICE

ABN 41 639 349 350

Unit 13, Level 3, Engineering House

11 National Circuit

Barton ACT 2600

02 6273 8312

E [ccfnat@civilcontractors.com](mailto:ccfnat@civilcontractors.com)

2<sup>nd</sup> August 2022

The Commissioner  
Registered Organisations Commission  
GPO Box 2983  
Melbourne VIC 3001

Via email: [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

**RE: LODGEMENT OF PRESCRIBED INFORMATION IN RELATION TO AN ELECTION FOR OFFICE  
IN AN ORGANISATION**

I, Michael Unger being the National President of the Civil Contractors Federation, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the organisation.
2. The following information is lodged under subsection 189(1) and (2) of the Fair Work (Registered Organisations) Act 2009 (the 'Act').
3. The elections that are required are set out in the table in Annexure A.
4. This statement is lodged at least 2 months before nominations open for the election outlined in Annexure A.
5. The Civil Contractors Federation Annual General Meeting is to be held on 11<sup>th</sup> November 2022.

Yours faithfully,

**Mr Michael Unger**  
CCF National President

## ANNEXURE A

- Elections that are required:

National Board	Name of Office	Number required	Voting System	Reason for Election	Electorate
<i>National</i>	President	(1)	Collegiate	Scheduled	<i>Immediately after the conclusion of each AGM, the National Board shall hold a meeting to elect the President, Vice President and Treasurer by and from the National Board Members for the next term. (Rule 25b)</i>
<i>National</i>	Vice President	(1)	Collegiate	Scheduled	<i>Immediately after the conclusion of each AGM, the National Board shall hold a meeting to elect the President, Vice President and Treasurer by and from the National Board Members for the next term. (Rule 25b)</i>
<i>National</i>	Treasurer	(1)	Collegiate	Scheduled	<i>Immediately after the conclusion of each AGM, the National Board shall hold a meeting to elect the President, Vice President and Treasurer by and from the National Board Members for the next term. (Rule 25b)</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	<p><i>Immediately after the conclusion of each AGM, the National Board shall hold a meeting to elect the President, Vice President and Treasurer by and from the National Board Members for the next term. (Rule 25b).</i></p> <p><i>The Returning Officer shall commence the election by calling for nominations for the office of president. This shall occur immediately after the meeting's formalities have concluded. (Rule 25f).</i></p>	<p><i>11<sup>th</sup> November 2022. The offices will be elected sequentially. The returning officer shall conduct the election for the President first. The election of the Vice President shall be conducted immediately afterwards, followed by the election of the Treasurer. A person elected to one office shall not be eligible to nominate for any remaining office. (Rule 25 (e)).</i></p> <p><i>11<sup>th</sup> November 2022. The Returning Officer shall commence the election by calling for nominations for the office of president. This shall occur immediately after the meeting's formalities have concluded. (Rule 25 (f)).</i></p>
<b>Nominations CLOSE</b>	<p><i>Immediately after the conclusion of each AGM, the National Board shall hold a meeting to elect the President, Vice President and Treasurer by and from</i></p>	<p><i>11<sup>th</sup> November 2022. The Returning Officer shall commence the election by calling for nominations for the office of president. This</i></p>

	<p><i>the National Board Members for the next term. (Rule 25b).</i></p> <p><i>The Returning Officer shall commence the election by calling for nominations for the office of president. This shall occur immediately after the meeting's formalities have concluded. (Rule 25f).</i></p> <p><i>The Returning Officer shall provide for the use of absentee voting so that any member of the National Board who expects to be absent from the meeting shall be entitled to exercise their secret ballot, where practicable, in such manner as the Returning Officer determines is practicable.</i></p>	<p><i>shall occur immediately after the meeting's formalities have concluded. (Rule 25 (f) ).</i></p> <p><i>Rules are silent on when the returning officer shall provide for the use of absentee voting.</i></p>
<p><b>Roll of Voters cut-off date</b></p>	<p><i>11<sup>th</sup> November 2022. The Returning Officer shall commence the election by calling for nominations for the office of president. This shall occur immediately after the meeting's formalities have concluded. (Rule 25 (f)).</i></p>	<p><i>11<sup>th</sup> November 2022. The Returning Officer shall commence the election by calling for nominations for the office of president. This shall occur immediately after the meeting's formalities have concluded. (Rule 25 (f)).</i></p>