

3 August 2016

Mr Domenico De-Fazio
President
Civil Contractors Federation-Victorian Branch
(03) 9808 6375

CC: Mr Tony Baulderstone
National President
Civil Contractors Federation
tbaulderstone@civilcontractors.com



Dear Mr De-Fazio,

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 [E2016/90] for the Victorian Branch. 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.

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 Civil Contractors Federation-Victorian Branch 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:
 - 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Jennifer Raeburn
Regulatory Compliance Branch

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].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 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]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new 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.]*

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

- 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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Civil Contractors Federation E2016/90 – Casual Vacancy - Branch Vice President

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.

Victorian Branch

Branch Vice-President

Candidates

DAMIANI , Antony

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



Allison Valentine
Returning Officer

22 June 2016

Anushan Jayaratne
Civil Contractors Federation
Level 1
322 Glenferrie Road
Malvern VIC 3144

**Post Election Report For: Civil Contractors Federation, Victorian Branch
Election E2016/90**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Act 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.



Allison Valentine
Returning Officer

1 July 2016

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Civil Contractors Federation, Victorian Branch

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2016/90

RULES

Rules used for the election: 267V: Incorporates alterations of 01/01/2014 certified on 20/12/2013] [R2013/109]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: Ballot not required

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

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



Allison Valentine
Returning Officer

1 July 2016



23 June 2016

Mr Tony Baulderstone
National President
Civil Contractors Federation

tbaulderstone@civilcontractors.com

Dear Mr Baulderstone,

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 [E2016/90]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

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.

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.

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 Civil Contractors Federation-Victorian Branch 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:
 - 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Debbie Ball
Regulatory Compliance Branch

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].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 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]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new 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.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ 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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Civil Contractors Federation E2016/90 – Casual Vacancy - Branch Vice President

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.

Victorian Branch

Branch Vice-President

Candidates

DAMIANI , Antony

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



Allison Valentine
Returning Officer

22 June 2016



Reference: V16/243

Mr Anushan Jayaratne
Finance Manager
Civil Contractors Federation
Level 1
322 Glenferrie Road
MALVERN VIC 3144

Dear Mr Jayaratne,

**Civil Contractors Federation
E2016/90 – Casual Vacancy - Branch Vice President**

The declaration of the election for uncontested offices is attached.

The election is now complete.

Yours sincerely



Allison Valentine
Returning Officer

22 June 2016

cc all candidates



DECISION

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

Civil Contractors Federation
(E2016/90)

MR ENRIGHT

MELBOURNE, 14 APRIL 2016

Arrangement for conduct of election.

[1] On 29 February 2016 the Victorian Branch of the Civil Contractors Federation lodged with the Fair Work Commission the prescribed information in relation to an election, for the remainder of the term of office due to a casual vacancy. Amended prescribed information was lodged on 12 April 2016 for the following office:

Vice President

[2] I am satisfied that an election for the abovenamed office 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

Printed by authority of the Commonwealth Government Printer
<Price code A, PR578570>



CCF VICTORIAN BRANCH
ABN 97 341 352 156

Level 1
322 Glenferrie Road
Malvern, VIC, 3144

P (03) 9822 0900

F (03) 9822 0022

E ccfvic@ccfvic.com.au

www.ccfvic.com.au

The General Manager
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Via email: orgs@fwc.gov.au

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

I, Domenic De-Fazio, being the Branch President of the Civil Contractors Federation Victoria Branch make the following statement:

I am the Branch President of the Civil Contractors Federation Victoria Branch.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Victorian Branch of the Civil Contractors Federation; and

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

Pursuant to Section 189 of the *Fair Work (Registered Organisations) Act 2009*, I hereby lodge with Fair Work Commission, the "prescribed information" specified in Regulation 138 of the *Fair Work (Registered Organisation) Regulations 2009* in relation to the Civil Contractors Federation Victoria Branch election to be conducted by the AEC:

Prescribed information

(a) ***the name of each office or position for which an election is required;***

Branch Board [Rule 43 and 50]

(i) Branch Vice President (1)

(b) ***the reason for the election is that:***

1) The Vice President role has a two year term. Current Vice President Sophie Brown has tendered her resignation on the 1st February 2016.

2) Rule 50(i) of CCF states that if a role becomes vacant within the first quarter of the term, elections needs to be held to elect an office bearer to the vacant position.



Arthur J. Gallagher
BUSINESS WITHOUT BARRIERS™



CCF VICTORIAN BRANCH
ABN 97 341 352 156

Level I
322 Glenferrie Road
Malvern, VIC, 3144

P (03) 9822 0900

F (03) 9822 0022

E ccfvic@ccfvic.com.au

www.ccfvic.com.au

(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*

(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;*

Members of the Civil Contractors Federation (Victoria Branch).

(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;*

(i) Nominations calling date, closing date to be determined by the Australian Election Commission.

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

The roll of voters for any ballot shall close 7 days before the day on which nominations for the election open [see Rule 28].

(g) *the kind of voting system to be used in the conduct of the election is:*

A direct voting system [see Rule 29(g)(iii) and Rule 50(f)(iii)]

Would you kindly make the necessary arrangements for the conduct of the election by the Australian Election Commission(AEC).

Signed:

Domenic De-Fazio
(Victoria) Branch President

Date: 11th April 2016



Arthur J. Gallagher
BUSINESS WITHOUT BARRIERS™