



2 December 2015

Mr John Wade  
President  
Civil Contractors Federation-New South Wales Branch  
ccfnsw@civilcontractors.com

Dear Mr Wade,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/133]. 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 Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Civil Contractors Federation-New South Wales 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].<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/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](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	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>
...							

**Fair Work (Registered Organisations) Act 2009**

**POST ELECTION REPORT**

**Client:** The Civil Contractors Federation – NSW Branch

**Contact details:** John Wade **Email:** crakete@civilcontractors.com  
Branch President ccfnsw@ccfnsw.com  
Civil Contractors Federation  
NSW Branch  
PO Box 7252  
BAULKHAM HILLS BC NSW

**AIR contact officer:** Larry Powell **Email:** orgs@fwc.gov.au

**ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2015/133

**RULES**

Rules used for elections - Rule ID: [267V: Incorporates alterations of 01/01/2014]

Rules difficult to apply/interpret: Rule 29 (h) & 50 (g) (i) ...."If further nominations are received and a ballot required, an election from Members in attendance shall be held at the AGM." The Fair Work (Registered Organisations) Act 2009 provides for elections for office to be by a Direct Voting System conducted by a secret postal ballot, refer Section 143 (1) (a) (i) and Section 144 (1) and (2). Therefore it would not be possible to conduct a ballot from only the members present at the AGM.

Model Rule reference (if any): None

**ROLL OF VOTERS**

As the election was uncontested no Roll of Voters required.

**ALLEGATIONS OF IRREGULARITIES RECEIVED:**

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 Uncontested Offices



Kathryn Montgomery  
Returning Officer  
12 August 2015

# Civil Contractors Federation New South Wales Branch NSW Branch Board and National Board Members

## Declaration of Results for Uncontested Offices E2015/133

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.

### New South Wales Branch

#### Branch President

##### Candidates

BOYLE, Michael

#### Branch Vice-President

##### Candidates

FORD, Stuart

#### Branch Honorary Treasurer

##### Candidates

SMITH, Craig A

#### Branch Board Members (11)

##### Candidates

ANTOUN, Robert

BRADY, Tom

CHERRIE, Glenn

DI CELLO, Anthony

FORDHAM, Glenn

SCHULTZ, Mark

WADE, John

WISE, Paul

No further nominations were accepted

### National Board Members New South Wales Branch

#### National Board Member

##### Candidates

BOYLE, Michael

#### Alternate National Board Member

##### Candidates

WADE, John

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



Kathryn Montgomery  
Returning Officer

13 July 2015



## DECISION

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

**Civil Contractors Federation**  
(E2015/133)

MR ENRIGHT

MELBOURNE, 17 APRIL 2015

*Arrangement for conduct of election.*

[1] On 7 April 2015 the New South Wales Branch of the Civil Contractors Federation lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch President  
Branch Vice President  
Branch Honorary Treasurer  
Branch Board Members (11)  
National Board Member  
Alternate National Board Member

[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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR563162>

7 April 2015

Our ref: CCF2015-136

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

By email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

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

I, John Wade, being the President of the Civil Contractors Federation (NSW) Branch make the following statement:

I am the President of the Civil Contractors Federation (NSW).

I am authorised to lodge the following prescribed information concerning forthcoming elections in the (NSW) 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 (NSW) 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 President (1)
- (ii) Branch Vice President (1)
- (iii) Branch Honorary Treasurer (1)
- (iv) Branch Board Member (11)

**National Board of the Federation [Rule 25 and Rule 29]**

- (v) National Board Member (1)
- (vi) Alternate National Board Member (1)



**CIVIL CONTRACTORS  
FEDERATION**

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

The terms of office are due to expire in the normal course of events under the rules of the organisation.

**(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;**

- (i) Branch Board Member (11)  
[see Rule 43]

**(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 (NSW)

**(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 shall be called for not less than fifty days in advance of the date fixed for the Branch Annual General Meeting [see Rule 29(c) and Rule 50(b)(i)]

*NB. The date fixed for the Annual General Meeting of the Branch is Thursday 27 August 2015 therefore nominations must be called prior to Wednesday 1 July 2015*

- (ii) The closing date for nominations shall be not less than thirty days before the date of the Branch Annual General Meeting. [see Rule 29(d) and Rule 50(b)(i)]

*NB. The proposed date for the Branch Annual General Meeting is Thursday 27 August 2015 therefore the closing date for nominations is Tuesday 21 July 2015*

**(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].

*NB. As the date fixed for the Annual General Meeting of the Branch is Thursday 27 August 2015 and nominations open on Wednesday 1 July 2015, the roll of voters is to be closed on Wednesday 17 June 2015.*





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**(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 AEC.

Signed:

Name:

John Wade

Civil Contractors Federation (NSW) Branch President

Date:

7 April 2015