



CIVIL CONTRACTORS FEDERATION

Queensland Branch



Monday, 1 October 2007

The Industrial Registrar
Attention: Mr Iain Stewart
Australian Industrial Registry
GPO Box 1994
Melbourne VIC 3001

Dear Mr Stewart,

**Re: Post Election Report - Civil Contractors Federation -
Queensland Branch (E2007/184) – Rules difficult to apply/interpret**

I hereby lodge copies of the AEC Post Election Report for the Civil Contractors Federation Queensland Branch Election (E No 2007/184) and the Branch's response to the AEC regarding the 'difficult rules' identified in the report.

I declare that the Queensland Branch will provide a copy of the extract from the AEC report and the Branch response to any member who so requests.

Signature: _____

Paul Fogarty

Queensland Branch President

Date: 20 September 2007



Queensland Branch



Monday, 1 October 2007

Brendan Carroll
Returning Officer
Industrial & Commercial elections
Queensland State Office
Australian Electoral Commission
GPO Box 2590
Brisbane QLD 4001

mailed 1.10.07

COPY

Dear Mr Carroll,

**Re: Post Election Report – Civil Contractors Federation –
Queensland Branch (E2007/184) – Rules difficult to apply/interpret**

In reference to the AEC post-election report of 24 September 2007, we have noted your comments in relation to the use of the title "Board Member" in Rules 25 and 29 relating to the election of the Federation's Board Members.

It is our opinion that when read in conjunction with Rules 43 and 50, the distinction between (National or Federation) Board Member and Branch Board Member becomes clear.

When lodging in the Industrial Registry, the "*prescribed information*" in relation to the Civil Contractors Federation Branch elections to be conducted by the AEC, Branches will specify the name of each office as follows:

Branch Board [Rule 43 and 50]

- (i) Branch President (1)
- (ii) Branch Vice President (1)
- (iii) Branch Honorary Treasurer (1)
- (iv) Branch Board Member (9)

Board of the Federation [Rule 25 and 29]

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

We would like to suggest the use of the above headings on the AEC Election Notice.

Please contact me if you have any queries on this matter.

Yours sincerely

Robert Row
Chief Executive Officer



CIVIL CONTRACTORS FEDERATION

Queensland Branch



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Robert Row
Chief Executive Officer



CIVIL CONTRACTORS FEDERATION

Queensland Branch



Monday, 1 October 2007

CCF Qld Branch - Response to *Rules difficult to apply/interpret*

The Industrial Registrar
Attention: Mr Iain Stewart
Australian Industrial Registry
GPO Box 1994
Melbourne VIC 3001

Dear Mr Stewart,

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Queensland Branch (E2007/184) – Rules difficult to apply/interpret**

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Signature: _____

Paul Fogarty

Queensland Branch President

Date: 20 September 2007

Australian Electoral Commission /AEC

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT**Civil Contractors Federation****Queensland Branch****ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s:

E2007/ 184**RULES**

Rules used for the election: 267V: incorporates alterations of 5/6/2006 - R2005/347.

Rules difficult to apply/interpret: The generic title "Board Member" used in Rules 25 and 29 and reflected in the AIRC Decision, when used in a Branch election, results in some CCF members nominating and subsequently saying what they really intended to nominate for in the Branch Election, was Branch Board Member. This could easily be obviated by specifically titling it 'Federation' or 'Federal' or 'National' Board Member or similar (like other organisations do).

Model Rule reference (if any): N/A

ROLL OF VOTERS

As there were no contested offices, Roll of Voters was not necessary.

However, a list of eligible members was used to mail out the Election Notices, calling nominations.

Other matters pertaining to the list/roll of voters:

Nominations were called on 1 August 2007, by Election Notice posted to all 145 members on the certified list of 13 July 2007 [CCF rules 29 & 50]. On 16 August, CCF advised that some members had been omitted from that list. To ensure those/all members had the opportunity to nominate and thus avoid any irregularity, Election Notices & Nomination Forms were posted to the additional 28 CCF members, and CCF Rule 27(c) and WR Act, Sched 1, Section 193(1)(b)(i) were used, to extend nominations period by a week from 21/8 to 28/8/07.

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 Uncontested Offices – of 4 September 2007.
- 2) Declaration of Results for Uncontested Offices – of 21 September 2007, for Recall as required by CCF Rules 29(g) & 50(f), where insufficient nominations received.

Brendan Carroll
Returning Officer
24 September 2007

Civil Contractors Federation 2007 Queensland Branch Election

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election E2007/ 184 for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

Queensland Branch

Branch President

Candidate: FOGARTY, Paul

Branch Vice-President

No nomination was received

Branch Honorary Treasurer

Candidate: BURKE, Anthony Edward

Branch Board Member (10)

Candidates: BARBER, Murray
CLARK, John
COGILL, Terence Robert
DOUGLAS, Rob
PANIZZA, Mark J.
SUDHOLZ, Dick
TENKATE, Anthony Simon
TURNER, Gavin
No further nominations were accepted [Rule 50(b)(iii) relates]

Board Member

No nomination was received

Alternate Board Member

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.

In accordance with CCF Rules 29(g) and 50(f), nominations will be recalled for those remaining positions (only) where there were insufficient nominations and will close at the CCF Queensland Branch, Annual General Meeting, which commences at 4:00pm on Thursday 20 September 2007, at the Victoria Park Function Room, Herston Road, Herston 4006.

Brendan Carroll
Returning Officer

4 September 2007

Civil Contractors Federation 2007 Queensland Branch Election Recall

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election E2007/ 184 for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

Uncontested results were declared on 4 September 2007. Since then, in accordance with CCF Rules 29(g) and 50(f), nominations were recalled for those remaining positions (only) where there were insufficient nominations. Recalled nominations closed at the CCF Queensland Branch, Annual General Meeting, on Thursday 20 September 2007, with the following results.

Queensland Branch

Branch Vice-President

Candidate: TURNER, Gavin Lindsay

Branch Board Member (2)

Candidates: BOAL, Alan John
HULL, John Francis

Board Member

Candidate: BURKE, Anthony Edward

Alternate Board Member

Candidate: FOGARTY, Paul

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

Brendan Carroll
Returning Officer
21 September 2007



Queensland Branch

Monday, 1 October 2007

mailed 1.10.07

Brendan Carroll
Returning Officer
Industrial & Commercial elections
Queensland State Office
Australian Electoral Commission
GPO Box 2590
Brisbane QLD 4001

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**Re: Post Election Report – Civil Contractors Federation –
Queensland Branch (E2007/184) – Rules difficult to apply/interpret**

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- (i) Branch President (1)
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Board of the Federation [Rule 25 and 29]

- (v) Board Member (1)
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We would like to suggest the use of the above headings on the AEC Election Notice.

Please contact me if you have any queries on this matter.

Yours sincerely

Robert Row
Chief Executive Officer

Australian Electoral Commission / AEC

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT**Civil Contractors Federation****Queensland Branch****ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s:

E2007/ 184**RULES**Rules used for the election: *267V: incorporates alterations of 5/6/2006 - R2005/347.*

Rules difficult to apply/interpret: *The generic title "Board Member" used in Rules 25 and 29 and reflected in the AIRC Decision, when used in a Branch election, results in some CCF members nominating and subsequently saying what they really intended to nominate for in the Branch Election, was Branch Board Member. This could easily be obviated by specifically titling it 'Federation' or 'Federal' or 'National' Board Member or similar (like other organisations do).*

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

As there were no contested offices, Roll of Voters was not necessary.

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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 Uncontested Offices – of 4 September 2007.
- 2) Declaration of Results for Uncontested Offices – of 21 September 2007, for Recall as required by CCF Rules 29(g) & 50(f), where insufficient nominations received.

Brendan Carroll
Returning Officer
24 September 2007

Civil Contractors Federation 2007 Queensland Branch Election Recall

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election E2007/ 184 for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

Uncontested results were declared on 4 September 2007. Since then, in accordance with CCF Rules 29(g) and 50(f), nominations were recalled for those remaining positions (only) where there were insufficient nominations. Recalled nominations closed at the CCF Queensland Branch, Annual General Meeting, on Thursday 20 September 2007, with the following results.

Queensland Branch

Branch Vice-President

Candidate: TURNER, Gavin Lindsay

Branch Board Member (2)

Candidates: BOAL, Alan John
HULL, John Francis

Board Member

Candidate: BURKE, Anthony Edward

Alternate Board Member

Candidate: FOGARTY, Paul

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

Brendan Carroll
Returning Officer
21 September 2007

Civil Contractors Federation 2007 Queensland Branch Election

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election E2007/ 184 for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

Queensland Branch

Branch President

Candidate: FOGARTY, Paul

Branch Vice-President

No nomination was received

Branch Honorary Treasurer

Candidate: BURKE, Anthony Edward

Branch Board Member (10)

Candidates: BARBER, Murray
CLARK, John
COGILL, Terence Robert
DOUGLAS, Rob
PANIZZA, Mark J.
SUDHOLZ, Dick
TENKATE, Anthony Simon
TURNER, Gavin
No further nominations were accepted [Rule 50(b)(iii) relates]

Board Member

No nomination was received

Alternate Board Member

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.

In accordance with CCF Rules 29(g) and 50(f), nominations will be recalled for those remaining positions (only) where there were insufficient nominations and will close at the CCF Queensland Branch, Annual General Meeting, which commences at 4:00pm on Thursday 20 September 2007, at the Victoria Park Function Room, Herston Road, Herston 4006.

Brendan Carroll
Returning Officer
4 September 2007

Workplace Relations Act 1996
s.189 of Schedule 1 - arrangement for conduct of an election

Civil Contractors Federation
(E2007/184)

T. NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 15 JUNE 2007

Arrangement for conduct of election.

DECISION

[1] On 8 and 13 June 2007, the Queensland Branch of the abovementioned organisation lodged in the Industrial Registry the prescribed information in relation to an election for the following offices:

Branch President
Branch Vice-President
Branch Honorary Treasurer
Branch Board Members (10)
Board Member
Alternate Board Member

[2] I am satisfied that an election for the abovementioned offices is required to be held under the rules of the organisation and, under subsection 189(3) of Schedule 1 of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.





CIVIL CONTRACTORS FEDERATION

Queensland Branch



31 May 2007

RECEIVED

The Industrial Registrar
Australian Industrial Registry
GPO Box 1994
Melbourne VIC 3001

END MANLY

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

Pursuant to Section 189 of Schedule 1 of the Workplace Relations Act 1996, I hereby lodge in the Industrial Registry, the "prescribed information" specified in Regulation 138 of the *Workplace Relations (Registration and Accountability of Organisations) Regulations* in relation to the Civil Contractors Federation *Queensland Branch* election to be conducted by the AEC:

Prescribed information

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

- (i) Board Member (1)
- (ii) Alternate Board Member (1)
[see Rule 25 and Rule 29]
- (iii) Branch President (1)
- (iv) Branch Vice President (1)
- (v) Branch Honorary Treasurer (1)
- (vi) Branch Board Member (10)
[see Rule 43 and Rule 50]

(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 10
[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;*



CIVIL CONTRACTORS FEDERATION

Queensland Branch



Members of the Civil Contractors Federation *Queensland 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 shall be called for not less than fifty days in advance of the date fixed for the Annual General Meeting [see Rule 29(b) and Rule 50(a)(i)]

NB. The date fixed for the Annual General Meeting of the Branch is Thursday 20 September 2007; therefore nominations must be called prior to Wednesday 1 August 2007.

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

NB. The proposed date for the Branch Annual General Meeting is Thursday 20 September 2007, therefore the closing date for nominations is Tuesday 21 August 2007.

(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 20 September 2007 and nominations open on Wednesday 1 August 2007, the roll of voters is to be closed on Tuesday 24 July 2007.

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

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

Would you kindly make the necessary arrangements for the conduct of the election by the AEC.

Signed:  Date: 6/06/07

Name: Paul Fogarty
President – Civil Contractors Federation, Queensland Branch