



3 December 2015

Mr Gerard Beltrame  
President  
Civil Contractors Federation-South Australia Branch  
ccfsa@civilcontractors.com

Dear Mr Beltrame,

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

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/151]. 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-South Australia 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)<br/>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  
Scheduled Branch Election E2015/151**

**Declaration of Results for Contested and Uncontested Offices**

**E2015/E151**

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.

**South Australian Branch**

|   |            |
|---|------------|
| Total number of names on the roll of voters                     | 260        |
| Ballot papers issued  | 260        |
| Replacement ballot papers issued                                | 1          |
| <b>Total Ballot Papers Issued</b>                               | <b>261</b> |
| Ballot papers / envelopes returned for scrutiny                 | 69         |
| Less ballot papers / envelopes rejected at preliminary scrutiny | 15         |
| Adjusting balance   | 0          |
| <b>Total Ballot Papers Admitted to Scrutiny</b>                 | <b>54</b>  |
| Percentage of ballot papers returned to number issued           | 26         |
| Ballot papers returned as unclaimed mail                        | 1          |
| Ballot papers not returned                                      | 191        |

**Branch Board Member (5)**

| <u>Candidates</u>          | <u>First Preference Votes</u> | <u>Votes</u> |
|----------------------------|-------------------------------|--------------|
| PLUMB, Christopher         | 4                             | 0            |
| REYNOLDS, Christopher John | 13                            | 17           |
| FORSTER, Michael John      | 8                             | 10           |
| HATCHER, Charles           | 6                             | 8            |
| MATTIAZZO, Steve           | 4                             | 0            |
| ALLEN, John                | 4                             | 0            |
| PALUSZEK, Ted              | 6                             | 9            |
| TUCKER, Jessica            | 9                             | 10           |

|                        |           |
|------------------------|-----------|
| Exhausted Votes        | 0         |
| Loss/Gain by Fraction  | 0         |
| Total votes            | <b>54</b> |
| Formal ballot papers   | <b>54</b> |
| Informal ballot papers | 0         |

I declare Michael John Forster, Charles Hatcher, Ted Paluszek, Christopher John Reynolds and Jessica Tucker elected.

|   |            |
|---|------------|
| Total number of names on the roll of voters                     | 260        |
| Ballot papers issued  | 260        |
| Replacement ballot papers issued                                | 1          |
| <b>Total Ballot Papers Issued</b>                               | <b>261</b> |
| Ballot papers / envelopes returned for scrutiny                 | 69         |
| Less ballot papers / envelopes rejected at preliminary scrutiny | 17         |
| Adjusting balance   | 0          |
| <b>Total Ballot Papers Admitted to Scrutiny</b>                 | <b>52</b>  |
| Percentage of ballot papers returned to number issued           | 26         |
| Ballot papers returned as unclaimed mail                        | 1          |
| Ballot papers not returned                                      | 191        |

### **Alternate National Board Member**

| <u>Candidates</u>          | <u>First Preference Votes</u> | <u>Votes</u> |
|----------------------------|-------------------------------|--------------|
| BELTRAME, Gerard           | 36                            | 36           |
| REYNOLDS, Christopher John | 15                            | 15           |
| Exhausted Votes            |                               | 0            |
| Loss/Gain by Fraction      |                               | 0            |
| Total votes                | 51                            | 51           |
| Formal ballot papers       | 51                            | 51           |
| Informal ballot papers     | 1                             | 1            |

I declare Gerard Beltrame elected.

### **Branch President**

#### Candidates

BELTRAME, Gerard

I declare Gerard Beltrame elected.

### **Branch Vice-President**

#### Candidates

DAVISON, Paul

I declare Paul Davison elected.

### **Branch Honorary Treasurer**

Candidates

JEFFERY, Michael James

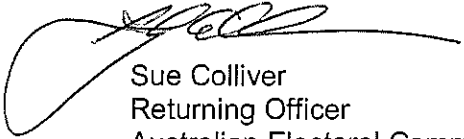
I declare Michael James Jeffery elected.

**National Board Member**

Candidates

BAULDERSTONE, Anthony William

I declare Anthony William Boulderstone elected.



Sue Colliver  
Returning Officer  
Australian Electoral Commission

25 August 2015

**Civil Contractors Federation  
Scheduled Branch Election E2015/151**

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**E2015/E151**

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| PLUMB, Christopher         | 4                             | 0            |
| REYNOLDS, Christopher John | 13                            | 17           |
| FORSTER, Michael John      | 8                             | 10           |
| HATCHER, Charles           | 6                             | 8            |
| MATTIAZZO, Steve           | 4                             | 0            |
| ALLEN, John                | 4                             | 0            |
| PALUSZEK, Ted              | 6                             | 9            |
| TUCKER, Jessica            | 9                             | 10           |
| Exhausted Votes            |                               | 0            |
| Loss/Gain by Fraction      |                               | 0            |
| Total votes                | 54                            | 54           |
| Formal ballot papers       | 54                            | 54           |
| Informal ballot papers     | 0                             | 0            |

I declare Michael John Forster, Charles Hatcher, Ted Paluszek, Christopher John Reynolds and Jessica Tucker elected.

|   |            |
|---|------------|
| Total number of names on the roll of voters                     | 260        |
| Ballot papers issued  | 260        |
| Replacement ballot papers issued                                | 1          |
| <b>Total Ballot Papers Issued</b>                               | <b>261</b> |
| Ballot papers / envelopes returned for scrutiny                 | 89         |
| Less ballot papers / envelopes rejected at preliminary scrutiny | 17         |
| Adjusting balance   | 0          |
| <b>Total Ballot Papers Admitted to Scrutiny</b>                 | <b>52</b>  |
| Percentage of ballot papers returned to number issued           | 26         |
| Ballot papers returned as unclaimed mail                        | 1          |
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#### **Alternate National Board Member**

| <u>Candidates</u>          | <u>First Preference Votes</u> | <u>Votes</u> |
|----------------------------|-------------------------------|--------------|
| BELTRAME, Gerard           | 36                            | 36           |
| REYNOLDS, Christopher John | 15                            | 15           |
| Exhausted Votes            |                               | 0            |
| Loss/Gain by Fraction      |                               | 0            |
| Total votes                | 51                            | 51           |
| Formal ballot papers       | 51                            | 51           |
| Informal ballot papers     | 1                             | 1            |

I declare Gerard Beltrame elected.

#### **Branch President**

##### Candidates

BELTRAME, Gerard

I declare Gerard Beltrame elected.

#### **Branch Vice-President**

##### Candidates

DAVISON, Paul

I declare Paul Davison elected.

#### **Branch Honorary Treasurer**





GPO Box 344  
ADELAIDE SA 5001

9<sup>th</sup> Floor, 1 King William St  
ADELAIDE 5000

Reference: SA 2015/151

Contact: Sue Colliver  
Phone: (08) 8237 6510  
Facsimile: (08) 8237 8684  
E-mail: [sue.colliver@aec.gov.au](mailto:sue.colliver@aec.gov.au)

Mr Gerard Beltrame  
SA Branch President  
Civil Contractors Federation – SA Office  
1 South Rd  
THEBARTON SA 5031

Dear Mr Beltrame

**Post-Election Report For:      Civil Contractors Federation  
South Australian Branch  
Election E2015/151**

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission 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 the Act 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) Regulations 2009* requires an organisation or branch to publish a notice on its website 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.



Sue Colliver  
Returning Officer  
28 August 2015

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

**POST ELECTION REPORT**

**Civil Contractors Federation**

**South Australian Branch**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No: E2015/151

**RULES**

Rules used for the election: 267V; Incorporates alterations of 1/01/2014 certified on 20/12/2013 [R2013/109]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: 260

Other matters pertaining to the roll of voters: Nil

**IRREGULARITIES**

Details of written allegations of irregularities, and action taken by AEC: Email 10 August 2015 from Michael Forster stating his nomination form for the Branch Board Member positions had not been included in the ballot. Investigation undertaken, resulting in ballot papers being reissued to all members.

See attached report on this matter.

Other irregularities identified, and action taken:

Reply Paid Envelope issued with second mail out of ballot papers was also used in another, concurrent election. At each clearance, the reply paid envelope ONLY was opened, and the election code on the envelope was used to determine which election the envelope belonged to. Envelopes were then held in a sealed ballot box pending counting. This anomaly did not affect election outcomes.

## File note

**File reference:** E2015/151

**Subject:** Civil Contractors Federation – South Australian Branch Election  
Report on ballot re-draw and reissue of ballot papers

**Date:** 10/8/2015                      **Time:** 10.15am

**Location:** Adelaide Metro Office – Central Team

**Action officer:** Sue Colliver – Returning Officer

### Description

Potential Candidate Michael John Forster contacted me at 10.18am on 10th August to ask why his name was not on a Candidate Statement list which had been produced and distributed by the Civil Contractors Federation (CCF) SA-Branch on the morning of 10 August by email.

On explaining that I had not received his nomination, Mr Forster advised that he had emailed his nomination to the SA-Elections email box on Friday 24th July at around 10.00am.

Mr Forster had also forwarded this email directly to me on the morning of 10th August which I also not received. I asked Mr Forster to forward the email to my Manager – Anna West which again was not received.

I then called our IT section to ascertain if the emails were held up in our spam. They could find the two emails sent on the 10th August, however not the one which was sent on 24 July via the SA-Elections email box.

IT requested that I obtain the email address from the potential nominee from which the nomination form was lodged.

It was at this point that IT was able to determine that the nomination form had been sent to that address on 24 July. The email had gone into spam of which the mailbox owner Barry Barons was notified. Barry Barons left the Agency in March 2015 and this alert is not accessible to any other user. As the alert had been dormant for 14 days, the email had been cleared.

Upon further investigation I found that the transfer of this mailbox from Barry Barons to the new ICE manager had not taken place, therefore there was no means for anyone to know that this nomination had gone into spam.

Once the emails which had been forwarded to myself and Anna West were released we could see that the nomination had been correctly lodged within the nomination close date of Friday 31 July at 5.00pm, and I was able to access and print the nomination form.

Upon advice from an Operations Manager in our Industrial Elections Branch, it was agreed that we would accept the nomination.

Ballot Papers had been posted on Friday 7th August to allow for Australia Post delays, and country members.

IT changed the mailbox owner to the current Industrial Elections Manager Geoff Schneider on 11 August 2015.

#### **Outcomes/action arising**

The Civil Contractors Federation contact person Elisa Berno was contacted to advise of the issue. A letter was produced to check Mr Forster's financial status as a member.

Once this was confirmed new ballot papers were produced in different colours, including Michael Forster as a candidate.

The original ballot paper colours:

**Yellow – Branch Board Members**

**Green – Alternate National Board Member**

The new ballot paper colours:

**Blue – Branch Board Members**

**Pink – Alternate National Board Member**

The new ballot papers included an insert advising to destroy the original ballot papers which were posted on 7 August 2015.

Return envelopes of a different colour were also included.

Original return envelope:

**Blue – GPO Box 24000**

New return envelope:

**Green – GPO Box 18000**

The new ballot papers were posted on Monday 10th August 2015 within the CCF rules and timeframes.

On Tuesday 11th August I contacted Mr Forster via phone to advise that his nomination had been accepted, and that he had been included on the new ballot papers which had been posted on 10 August. This was followed up with the official Nominations Acknowledgement letter printed via Event Manager.

I then obtained a list of over 600 email addresses from Elisa at the CCF and emailed a notice to all members explaining that there had been an error with the original ballot papers and to disregard them, and to only use the blue and pink ballot papers (a copy of this email is on file).

**ATTACHMENTS**

1. File Note: Report on ballot re-draw and reissue of ballot papers 10 August 2015

Sue Colliver



Returning Officer

26 August 2015





## DECISION

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

### **Civil Contractors Federation** (E2015/151)

MR ENRIGHT

MELBOURNE, 8 MAY 2015

*Arrangement for conduct of election.*

[1] On 30 April 2015 the South Australia 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 (5)
- 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, PR567093>



29<sup>th</sup> April 2015

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

Via 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, Gerard Beltrame, being the President of the Civil Contractors Federation SA Branch make the following statement:

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

I am authorised to lodge the following prescribed information concerning forthcoming elections in the SA 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 SA 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 President (1)
- (ii) Branch Vice President (1)
- (iii) Branch Honorary Treasurer (1)
- (iv) Branch Board Member (5 - as confirmed at the Civil Contractors Federation SA Branch Board Meeting held on Monday 13 April 2015, the number of the Board Members is 5 in addition to the 3 positions nominated above)

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

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

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

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The CCF SA: the peak industry association for the civil contracting sector | influencing government policy and regulation | lobbying and advocating for civil contracting companies | maintaining networks of influential government, media and community contacts | providing information of relevance to civil contracting companies and the community | facilitating opportunities for civil contracting companies to be consulted on matters of importance | hosting social and networking opportunities for civil contractors | promoting the civil contracting sector | delivering civil training programs and courses | providing technical and specialist advisory services to civil contractors | progressing strategies designed to achieve and maintain a safe, sustainable and profitable civil contracting sector.



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 (5) [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 SA 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 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 **Wednesday 2 September 2015**, therefore nominations must be called prior to **Monday 13 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 **Wednesday 2 September 2015** therefore the closing date for nominations is **Friday 31 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 **Wednesday 2 September 2015** and nominations open on **Monday 13 July 2015**, the roll of voters is to be closed on **Monday 6 July 2015**.*

- (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: Gerard Beltrame

Civil Contractors Federation SA Branch President