



AMENDING DECISION

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

**Communications, Electrical, Electronic, Energy, Information, Postal,
Plumbing and Allied Services Union of Australia-Communications Division**
(E2019/168)

MR ENRIGHT

MELBOURNE, 9 OCTOBER 2019

Arrangement for conduct of election.

[1] On 29 August 2019, the Communications Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**CEPU**) lodged with the Registered Organisations Commission prescribed information for an election to fill offices arising out of casual vacancies for the remainder of the term. One of those offices was:

Victorian Telecommunications and Services Branch
Branch Committee of Management Member (Technical Industry Section) (1)

[2] On 2 September 2019, the Victorian Telecommunications and Services Branch (**Branch**) of the CEPU separately lodged prescribed information with the Registered Organisations Commission requesting an election, apparently unaware that an election for that particular office had already been requested.

[3] The Registered Organisations Commission generally deals with prescribed information statements in the order they are received.

[4] On 10 September 2019, I issued a decision as Delegate of the Registered Organisations Commissioner (E2019/164, PR351479) arranging for the Australian Electoral Commission (**AEC**) to conduct an election for the offices listed in the prescribed information dated 29 August 2019.

[5] On 8 October 2019, I issued a decision (E2019/168, PR351492) arranging for the AEC to conduct an election for the office requested in the Branch's 2 September 2019 prescribed information lodgement. This decision was issued without the knowledge that a separate prescribed information statement had been lodged by the Branch containing the same office.

[6] Following a request from the AEC, the purpose of this amending decision is to confirm that the office of 'Branch Committee of Management Member (Technical Industry Section)' referred to in decision E2019/168 is the same as an office listed in decision E2019/164. Consequently, only one election is required for the abovementioned office.

[7] The decision issued by the Delegate of the Registered Organisations Commissioner on 8 October 2019 (E2019/168/, PR351492) is therefore amended as follows:

By removing at paragraph [1] the following words:

Victorian Telecommunications and Services Branch

Branch Committee of Management Member (Technical Industry Section) (1)



DELEGATE OF THE COMMISSIONER

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PR351498



DECISION

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

**Communications, Electrical, Electronic, Energy, Information, Postal,
Plumbing and Allied Services Union of Australia-Communications Division**
(E2019/168)

MR ENRIGHT

MELBOURNE, 8 OCTOBER 2019

Arrangement for conduct of election.

[1] On 2 September 2019 the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia-Communications Division - Victorian Telecommunications and Services Branch lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Victorian Telecommunications and Services Branch

Branch Committee of Management Member (Technical Industry Section) (1)

[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 COMMISSIONER

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PR351492

Ref: VB19/53
2 September 2019

The Commissioner
Mr Mark Bielecki
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Via email: regorgs@roc.gov.au

Dear Mr Bielecki,

**CEPU Communications Division, Victorian Technical and Services Branch
– casual vacancy election**

With reference to the above, I attach:

- prescribed information for an election as required by 189(1) of the *Fair Work (Registered Organisations) Act 2009 (the Act)* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009 (the Regulations)*;

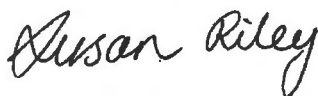
The Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia Communications Division, Victorian Technical and Services Branch (the Branch) recently held scheduled quadrennial elections.

Under rule 65(a) of the CEPU rules covering the Communications Division, branch office holders take up office from the 1 August in the year of election following the declaration of the office. Since taking up office, a member of the branch committee of management, Mr David Smithwick, resigned his position on 14th August 2019.

Rule 69 requires that an election be conducted where a Branch Committee of Management position becomes vacant for any reason and the unexpired part of the term is more than twelve (12) months or three quarters of the term of office before the date of the closing of the ballot for the next election, whichever is the greater. As further required by rule 69, the Branch Committee of Management at its scheduled meeting held 27th August 2019 declared the vacancy.

Accordingly, the Division requests that the Registered Organisations Commission (ROC) arrange an election to be conducted by the Australian Electoral Commission for the office set out in the attached prescribed information.

Yours sincerely



SUE RILEY
Secretary
Communication Workers Union
Telecommunication and Services Branch
Victoria
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PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Susan Riley, being the Branch Secretary of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Communications Division, Victorian Telecommunications and Services Branch (the Branch), make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Branch.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act);
3. The election that is required are set out in the table in Annexure A;
4. No rule alterations are pending that will impact the election; and
5. This statement is lodged at least 2 months before nominations open for the election.

Signed:


SUSAN RILEY

Dated: 2/9/ 2019

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Election that is required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Victorian Telecommunications and Services Branch	Member of the Branch Committee of Management (Technical Industry Section)	1	Direct voting system	Casual vacancy - the elected office holder has resigned and the unexpired part of the term is more than 12 months or ¾ of the term of office	Financial members of the Technical Industry Section) (128V-COM rules 67(a), 76A(h)(i))

- **IMPORTANT DATES:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	As determined by the Returning Officer.	
Nominations CLOSE	As determined by the Returning Officer.	
Roll of Voters cut-off date	7 days prior to the date on which nominations open (Section D rule 67(b)(i))	