



20 April 2016

Mr Greg Rayner
Divisional Secretary
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services
Union of Australia-Communications Division

Email: cwu@cwu.org.au

Dear Mr Rayner,

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 [E2016/62]. 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 Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia-Communications Division 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
Michael Moutevelis
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>
...							

From: Simon Bulloch <Simon.Bulloch@aec.gov.au>
Sent: Monday, 18 April 2016 3:48 PM
To: Bryan Watkins; Orgs; Industrial Elections
Subject: E2016.62 CEPU WA Communications Division Branch Election - Post Election Report and Uncontested Declaration [DLM=For-Official-Use-Only]
Attachments: E2016.62 CEPU WA Communications Division Branch - Post Election Report.pdf; E2016.62 CEPU WA Communications Division Branch - Uncontested Declaration.pdf
Categories: RIA

For-Official-Use-Only

Bryan,

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.

Regards,

Simon Bulloch | Manager

Election Services | WA State Office

Australian Electoral Commission

T: (08) 6363 8011 | M: 0413 006 210 | F: (08) 6363 8052



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For-Official-Use-Only

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Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Western Australia Communications Branch

Contact details: Bryan Watkins

Email: bryan@cwuwa.org

Tel: 08 9227 9911

FWA contact officer: Michael Moutevelis

Email: orgs@fwc.gov.au

Tel: Not Provided

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:

E2016/62

RULES

Rules used for the election: [128V: Incorporates the alterations certified on 12/08/2015 in matter R2015/156] and [128V-COM: - Incorporates alterations of 13 March 2015 certified in matter R2015/50]

Model Rule reference (if any): N/A

Rules difficult to apply/interpret: Nil

ROLL OF VOTERS

The roll of voters was provided by the CEPU WA Communications Branch. As there was not a contest the roll was not used.

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results for Uncontested Offices



Simon Bulloch
Returning Officer
18 April 2016

**Communications, Electrical, Electronic, Energy,
Information, Postal, Plumbing & Allied Services Union
Western Australia Communications Branch
Telecommunications and Information Technology
Industry Section
Vacancy Election**

Declaration of Results for Uncontested Offices

E2016/62

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.

Telecommunications and Information Technology Industry Section

Branch Committee of Management Member (honorary) (2)

Candidates

THOMAS, Clinton
VAN DER STELT, Machiel

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



Simon Bulloch
Returning Officer

18 April 2016



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**
(E2016/62)

MR ENRIGHT

MELBOURNE, 17 FEBRUARY 2016

Arrangement for conduct of election.

[1] On 22 January 2016, the Communications Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (the organisation) lodged with the Fair Work Commission prescribed information in relation to an election.

[2] On 2 February 2016, the Communications Division of the abovenamed organisation lodged amended prescribed information in relation to an election, for the remainder of the term, due to insufficient nominations in a previous election (E2015/63), and due to a casual vacancy election following a resignation, for the following offices:

Western Australia Communications Branch

Telecommunications and Information Technology Industry Section

Branch Committee of Management Member (honorary) (2)

[3] 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

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From: Marie Petrov <MPetrov@cwu.org.au>
Sent: Tuesday, 2 February 2016 2:37 PM
To: Orgs
Subject: GEN 16/10 - Vacant Positions in WA Branch BCOM
Attachments: gen10.pdf

Categories: RIA

Attached is the abovementioned letter.

Marie Petrov
Administration Officer
CWU National Office
9/365 Queen Street
Melbourne Victoria 3000 Australia

t: +61 3 9349 2100 f: +61 3 9642 0333
e: MPetrov@cwu.org.au w: www.cwu.org.au



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GEN 16/10
5.0-001

2 February, 2016.

The General Manager,
Fair Work Commission,
11 Exhibition Street,
MELBOURNE. VIC. 3000.

Dear General Manager,

I refer to my letter dated 22 January 2016, which contained the information prescribed by section 189(1) and provide the following statement in its stead.

I, Greg Rayner being the Divisional Secretary of the Communications Division of the Communications Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU), am authorised to lodge the following information pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 and in accordance with the proscriptions of regulation 138 of the Fair Work (Registered Organisations) Regulations 2009:

Committee of Management, Western Australian Branch

1. A casual vacancy in the office of Committee of Management member has been caused by the resignation of Mr Michael Banting [reg 138(1)(b)(ii)].
2. A further vacancy exists in the office of Committee of Management, that position was not having been filled at the previous quadrennial election [reg 139(1)(b)(iv)]
3. The electorate in respect of both positions is comprised of only financial members of the Telecommunications and Information Technology Industry Group of the Western Australian Branch [reg 138(1)(d)].

Yours faithfully,



Greg Rayner,
DIVISIONAL SECRETARY.

PM:mp

Level 9, 365 Queen Street, Melbourne Vic 3000 (Australia)

cwu.org.au

P (03) 9349 2100

F (03) 9642 0333

E cwu@cwu.org.au

ABN 22 401 014 998 A Division of CEPU

Shane Murphy Divisional President
John O'Donnell Divisional Assistant Secretary (Telecommunications)
Bernie Clarke Divisional Vice-President

Greg Rayner Divisional Secretary
Nicole Robinson Divisional Assistant Secretary (Postal)
Lisa-Maree Bahls Divisional Vice-President (AA)

MOUTEVELIS, Michael

From: Lee Caligiore <LCaligiore@cwu.org.au>
Sent: Friday, 22 January 2016 2:17 PM
To: Orgs
Cc: Greg Rayner; Patrick Massarani
Subject: SYDNEY CEPU - Communications Division - Vacancies in the office of Committee of Management WA Branch and President position in T&S Victorian Branch
Attachments: gen6.pdf

Forwarded for your info.

Regards,

Lee Caligiore

Administration Officer

CWU National Office

Level 9

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e: LCaligiore@cwu.org.au w: www.cwu.org.au



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GEN 16/06
5.0-001

22nd January, 2016.

The General Manager,
Fair Work Commission,
11 Exhibition Street,
MELBOURNE. VIC. 3000.

Dear General Manager,

I, Greg Rayner being the Divisional Secretary of the Communications Division of the Communications Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU), am authorised to lodge the following information pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 and in accordance with the proscriptions of regulation 138 of the Fair Work (Registered Organisations) Regulations 2009:

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2. A further vacancy exists in the office of Committee of Management, that position was not having been filled at the previous quadrennial election [reg 139(1)(b)(iv)]
3. The electorate in respect of both positions is comprised of all financial members of the Western Australian Branch [reg 138(1)(d)].

As discussed with a member of your office today I have also enclosed correspondence from the Secretary of the Victorian Telecommunication and Services Branch concerning the resignation of the President of that Branch.

Yours faithfully,



Greg Rayner,
DIVISIONAL SECRETARY.

GR:lc
Enc.

Level 9, 365 Queen Street, Melbourne Vic 3000 (Australia)

cwu.org.au

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