



23 December 2016

Mr Allen Hicks  
Divisional Secretary  
Electrical, Energy and Services Division  
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union  
of Australia

Email: [allen@etuaustralia.org.au](mailto:allen@etuaustralia.org.au)

Dear Mr Hicks,

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

The Australian Electoral Commission has provided the Fair Work Commission a copy of the declarations of results for the election E2016/242. The results were received today. 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 and 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.

Section 233(2) of the RO Act requires that an organisation must notify the Commission of any changes to the records for the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the organisation must notify the Commission of these changes. The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made.

If there have been no changes, a notification is not required.

If you have any questions in relation to this matter, please don't hesitate to contact me on (02) 6746 3283 or email at [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au).

Yours faithfully

Stephen Kellett  
Senior Adviser  
Regulatory Compliance Branch

**From:** KELLETT, Stephen  
**Sent:** Friday, 23 December 2016 8:00 PM  
**To:** 'allen@etuaustralia.org.au'  
**Cc:** 'Annette Moran'  
**Subject:** Attention Mr Allen Hicks - election results - E2016/242 - courtesy reminder

Dear Mr Hicks

Please see attached my letter in relation to the above.

Yours faithfully

**STEPHEN KELLETT**  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283  
(mob.) 0429 462 979  
(email) [stephen.kellett@fwc.gov](mailto:stephen.kellett@fwc.gov)



letter post PER.pdf

**From:** Rhys Richards [<mailto:Rhys.Richards@aec.gov.au>]  
**Sent:** Friday, 23 December 2016 10:50 AM  
**To:** Orgs  
**Subject:** Post Election Report for CEPU E2016/242 [DLM=For-Official-Use-Only]

## For-Official-Use-Only

Hi

Attached is the Post-Election report for the above election.

Thanks

**Rhys Richards | Senior Returning Officer**  
Industrial & Commercial Elections | NSW State Office  
Australian Electoral Commission  
T: (02) 9375 6362 | M: unknown | F: (02) 6215 9910

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Declaration  
E2016-242.rtf



RO REPORT CEPU  
E2016-242.doc



Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** Communications, Electrical, Electronic, Energy, Information, Postal,  
Plumbing & Allied Services Union (CEPU)

**ELECTIONS COVERED IN THIS REPORT**

*Election Decision No/s:* E2016/242

**RULES**

*Rules used for elections Rule ID:* [128V:ELE Incorporates alteration of 13/09/2016  
[R2016/183]

*Rules difficult to apply/interpret:*

*Model Rule reference (if any):*

**ROLL OF VOTERS – N/A**

*Total number of voters on the roll*

*Number of apparent workplace addresses*

*Number of non-current addresses*

*Other Matters*

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

**ATTACHMENTS**

**A:** Declaration of Uncontested Office

**B:**

Rhys Richards  
Returning Office  
23 December 2016

**Communications, Electrical, Electronic, Energy, Information,  
Postal, Plumbing & Allied Services Union**

**Electrical, Energy & Services Division**

**NSW Divisional Branch**

**Declaration of Results for Uncontested Offices**

**E2016/242**

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.

**Divisional Executive Member – NSW Divisional Branch**

Candidates

MCKINLEY, David

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



Rhys Richards  
Returning Officer  
22 December 2016



# Copy of Signed Decision

**Title of Matter:** Application/Notification by Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division

**Section:** s.189(1) RO Act - Notification of elections for office - Casual vacancy or insufficient nominations

**Subject:** Casual vacancy - NSW Divisional Executive Member

**Matter Number(s):** E2016/242

A copy of the Delegate's decision is attached for your information.

The relevant rulebook can be accessed via the Fair Work Commission's [website](#).

**Dear Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division,**

Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records to be declared to the Fair Work Commission. This includes changes to officers as a result of elections. Changes must be declared within 35 days and a template is available from the [website](#).

**Dear Australian Electoral Commissioner via the Electoral Officer,**

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the above election.

**Contact:** Mr Allen Hicks of the organisation, as per the prescribed information.

Please send any declaration(s) and post election report to the Fair Work Commission at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**Inquiries:**

Any inquiries relating to this matter are to be directed to Carolyn Moloney through [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**21 OCTOBER 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**  
(E2016/242)

MR ENRIGHT

MELBOURNE, 20 OCTOBER 2016

*Arrangement for conduct of election.*

[1] On 12 October 2016 the Electrical, Energy and Services Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for a casual vacancy, for the remainder of the term of office, in the following office:

**Divisional Executive**

Divisional Executive Member from NSW Divisional Branch (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 GENERAL MANAGER**



# Copy of Prescribed Information

**Title of Matter:** Application/Notification by Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division

**Section:** s.189(1) RO Act - Notification of elections for office - Casual vacancy or insufficient nominations

**Subject:**

**Matter Number(s):** E2016/242

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

**Inquiries:**

Any inquiries relating to this are to be directed to: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**12 OCTOBER 2016**





# Electrical Trades Union of Australia

*Proud to be Union*

11 October 2016

Mr David Dale  
The Principal Advisor – Regulatory & Compliance Branch NSW  
Fair Work Commission  
Level 8, Terrace Towers  
80 William St  
EAST SYDNEY NSW 2011

**Request for an election pursuant to ss182 & 189  
of the Fair Work (Registered Organisations) Act 2009**

Dear Mr Dale

Please be advised that the CEPU Electrical, Energy and Services Division, is required to conduct an election to fill a casual vacancy for a Divisional Branch delegate from NSW to the Divisional Executive of the CEPU Electrical, Energy and Services Division.

Accordingly, pursuant to ss182 and 189 of the Act, the Division requests that the Fair Work Commission arrange for the Australian Electoral Commission to conduct an election to fill the casual vacancy on the Divisional Executive.

This election is necessary as a delegate from NSW has resigned from the position.

Pursuant to s.189(1) and regulation 138 of the Act, I have attached (Attachment A) the prescribed information.

Thank you for your assistance with this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'AL AL', is written over a white rectangular area.

Allen Hicks  
Divisional Secretary

Prescribed information for elections pursuant to the  
*Fair Work (Registered Organisations) Act 2009 s.189*  
& regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*

**STATEMENT**

I, Allen Hicks, of level 4, Suite 408, 30-40 Harcourt Parade, Rosebery, NSW 2018  
state as follows:

1. I am the Divisional Secretary of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division (CEPU, EE&S Division).
2. I am an officer authorised to make a statement pursuant to regulation 138 of the Fair Work (Registered Organisations) Regulations 2009 with respect to the filling of a casual vacancy on the CEPU EE&S Divisional Executive.
3. Elections are required for the office specified in attachment A.
4. This information is lodged under s.189 of the Fair Work (Registered Organisations) Act 2009.

Dated: 11 October 2016



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Allen Hicks  
DIVISIONAL SECRETARY

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

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CEPU Electrical Energy & Services Division, NEW SOUTH WALES BRANCH  
Election to fill a Casual Vacancy – October 2016  
*Prescribed information pursuant to s189(1) & regulation 138*

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**a. Name of the office for which an election is required**

- Divisional Branch delegate to the Divisional Executive

**b. Reason for the election**

An officer has resigned from the organisation creating a vacancy on the Divisional Executive to be filled by a casual vacancy election.

**c. Offices or positions with the same name and the number of offices:**

N/A

**d. Electorate**

*The Office elected pursuant to s189(1) is to be elected by the following electorate:*

- Divisional Branch delegate to Divisional Executive representing the NSW Branch      NSW Branch representatives on the Divisional Council

**e. Date of commencement and expiration of nomination period**

As this is an election to fill a casual vacancy on the Divisional Executive, the Division requests that the commencement and closure of the nominations for the election be held at a date and time to be determined by the returning officer from the AEC.

**f. Day on which the roll of voters is to close**

As this is an election to fill a casual vacancy on the Divisional Executive, the Division requests that the roll of voters for the election close at a date and time to be determined by the returning officer from the AEC.

**g. Voting system**

This is a collegiate election determined by a secret ballot of Divisional Councillors representing the NSW Divisional Branch.