



16 August 2017

Mr Allen Hicks
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services
Union of Australia - Electrical, Energy and Services Division
allen@etuaustralia.org.au

Dear Mr Hicks

cc: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied
Services Union of Australia; admin@etuaustralia.org.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for Electrical, Energy and Services Division [E2017/85]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

Organisation must notify the Commission of changes

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 - Electrical, Energy and Services 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Christine Hibberd
Registered Organisations Commission

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 operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

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)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

27 July 2017

Post-election Report

**Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing & Allied Services Union
Scheduled Election - Divisional Executive E2017/85**

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Election(s) Covered in this Report

Election Decision No/s: E2017/85

Rules

Rules used for the election: 128V-ELE: Incorporates alterations certified on 04/04/2017 in matter R2017/37

Rules difficult to apply/interpret: Nil
Module Rule reference N/A

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

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

Other irregularities identified, and action taken: Nil

Other Matters

Nil

Attachments

- 1) Declaration of Results for Uncontested Offices



Andrew Reid
Returning Officer

27 July 2017

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

Scheduled Election - Divisional Executive E2017/85

Declaration of Results for Uncontested Offices

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

Divisional President

Candidates

SIMPSON, Peter John

Divisional Vice President (2)

Candidates

GRAY, Troy
MCKINLEY, David

Divisional Executive Member - NSW (2)

Candidates

MCKINLEY, David
PAGE, Justin

Divisional Executive Member - QLD (2)

Candidates

MCGAW, Christopher Noel
SIMPSON, Peter John

Divisional Executive Member - SA

Candidates

ADLEY, John Patrick

Divisional Executive Member - TAS

Candidates

ANDERSON, Michael

Divisional Executive Member - VIC (2)

Candidates

FILAZZOLA, Daniel
GRAY, Troy

Divisional Executive Member - WA

Candidates

CARTER, Peter

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



Andrew Reid
Returning Officer
26 July 2017



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 (E2017/85)

MR ENRIGHT

MELBOURNE, 18 MAY 2017

Arrangement for conduct of election.

[1] On 11 May 2017 the Electrical, Energy and Services Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia lodged with the Registered Organisations Commission prescribed information in relation to a scheduled election for the following offices:

Divisional Executive

- | | |
|---|---|
| Divisional President | (1) |
| Divisional Vice-Presidents | (2) |
| Divisional Executive Members ¹ | (number to be determined in accordance with rule 8.2 of the Divisional rules) |

[2] I am satisfied that an election for the above-named 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 COMMISSIONER

¹ Representing each Branch, referred to as “Divisional Branch Representatives” in sub-rule 15.5.3

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From: KELLETT, Stephen
Sent: Thursday, 18 May 2017 9:52 AM
To: 'Annette Moran'
Subject: Election - scheduled - E2017/85 - granted [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Annette,

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

STEPHEN KELLETT
Senior Adviser
Financial Reporting
Registered Organisations Commission

Tel: (02) 6746 3283
Email: stephen.kellett@roc.gov.au

Level 13, 175 Liverpool Street, Sydney NSW 2000

www.roc.gov.au



Australian Government
Registered Organisations Commission

Please consider the environment before printing this message



E2017 85
Decision.pdf

From: KELLETT,Stephen
Sent: Thursday, 18 May 2017 9:50 AM
To: 'industrial.elections@aec.gov.au'
Subject: Election - scheduled - E2017/85 - CEPU, Electrical Division - granted [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Electoral Commissioner

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

STEPHEN KELLETT

Senior Adviser

Financial Reporting

Registered Organisations Commission

Tel: (02) 6746 3283

Email: stephen.kellett@roc.gov.au

Level 13, 175 Liverpool Street, Sydney NSW 2000

www.roc.gov.au



Australian Government

Registered Organisations Commission

Please consider the environment before printing this message



E2017 85
Decision.pdf

From: HIBBERD,Christine
Sent: Wednesday, 17 May 2017 5:31 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2017/85 CEPU-ELE Copy of Prescribed Information [SEC=UNCLASSIFIED]



Australian Government
Registered Organisations Commission

Copy of Prescribed Information

Title of Matter: Application/Notification by CEPU – Electrical, Energy and Services Division
Section: s.189(1) RO Act - Notification of elections for office
Subject: Divisional President (1), Divisional Vice Presidents (2) and Divisional Executive Members
Matter Number(s): E2017/85

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: regorgs@roc.gov.au

17 May 2017

From: Annette Moran [<mailto:Annette@etuaustralia.org.au>]

Sent: Thursday, 11 May 2017 12:25 PM

To: ROC - Registered Org Commission

Subject: Actioned Kellett ON CMS E2017/85 CEPU EE&S Division - STATEMENT AND PI

[E2017/85](#)

Please find attached:

- letter from Divisional Secretary, Allen Hicks, requesting that the ROC arrange for the AC to conduct an election; and
- statement and prescribed information

Kind regards,

Annette Moran

CEPU National Governance & Compliance Officer

Please note: I work Mondays to Thursdays – if you require assistance on a Friday please contact the office.



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Div Exec Election 170511 Ltr fr AH to
Statement and PrescrFWC request for AEC



Electrical Trades Union of Australia

Proud to be Union

11 May 2017

Sent by email: regorgs@roc.gov.au

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

Dear Mr Bielecki

**E2017/85 - CEPU Electrical, Energy & Services Division - Election of Officers
- Request for AEC to conduct an election**

The Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (the CEPU) Electrical, Energy and Services Division is required to conduct collegiate elections at its annual meeting of the Divisional Council.

The annual meeting will be held on the 26-27 July 2017 at the Mantra Legends Hotel, 25 Laycock St, Surfers Paradise QLD.

Pursuant to sections 182(1) and 189 of the Fair Work (Registered Organisations) Act 2009, the CEPU, Electrical Energy and Services Division requests that the Registered Organisations Commission arrange for the AEC to conduct the election.

The election relates to the positions of Divisional President, Divisional Vice Presidents and other Divisional Branch representatives on the Divisional Executive (CEPU Section B rule 15, specifically rules 15.5).

If you have any questions please contact myself or Annette Moran at this office.

Yours faithfully

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

Allen Hicks
DIVISIONAL SECRETARY

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, Allen Hicks, being the Divisional Secretary of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU), Electrical, Energy and Services Division, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the CEPU Electrical, Energy and Services Division, Divisional Council.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed:



Dated: 11 May 2017

[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

- Elections that are 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
<i>Electrical Energy & Services Division</i>	<i>Divisional President</i>	<i>1</i>	<i>Collegiate</i>	<i>Scheduled</i>	<i>Divisional Council (Section B rule 15.5.2; 15.18)</i>
<i>Electrical Energy & Services Division</i>	<i>Divisional Vice President</i>	<i>2</i>	<i>Collegiate</i>	<i>Scheduled</i>	<i>Divisional Council (Section B rule 15.5.2; 15.18)</i>
<i>Electrical Energy & Services Division</i>	<i>Divisional Executive Member</i>	<i>Number to be determined in accordance with Section B rule 8.2</i>	<i>Collegiate</i>	<i>Scheduled</i>	<i>Divisional Councillors representing the relevant branch (Section B rule 15.5.3; 15.18)</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN		<i>9:30am, 26 July 2017 (Section B rules 7.5.1;15.5.4, 15.18.1)</i>
Nominations CLOSE		<i>After 9:30am 26 July 2017 (Section B rules 7.5.1;15.5.4, 15.18.1)</i>
Roll of Voters cut off date		<i>As determined by Section B rule 15.16</i>

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'to be determined by the returning officer'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.



4 April 2017

Mr Allen Hicks

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

Sent via email: edno@nat.cepu.asn.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Mr Hicks,

Courtesy Letter - Election for offices [E2017/85]

The rules of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division indicate that an election for offices within the branch is due to commence shortly.

- Division President
- Division Vice-President

It appears that nominations for the election for the above-named offices open in July this year/next year.

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Fair Work Commission (the Commission) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the Commission know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <https://www.fwc.gov.au/registered-organisations/fact-sheets-templates-webinars>.

The prescribed information should be emailed to orgs@fwc.gov.au. If your branch believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the General Manager within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the General Manager will consider such an application, there is no assurance that consent to a later day will be allowed.

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The Commission intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the Commission cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

When lodging the prescribed information, please quote [E2017/85]

Should you seek any clarification in relation to the above, please contact the Commission on orgs@fwc.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sam Gallichio', written in a cursive style.

Adviser

Sam Gallichio

Regulatory Compliance Branch