

POST ELECTION REPORT

Fair Work (Registered Organisations) Act 2009

Client: Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia
NSW Divisional Branch – ACT Sub-Branch

Contact details: David Broadley
Branch Secretary

Email: Dave.broadley@nswplumbersunion.com.au
Tel:

AIR contact officer: James Hall

Email: Industrial.elections@fwa.gov.au
Tel:

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2011/2679



RULES

Rules used for elections Rule ID: [128V-PLU:alterations of 16/9/2011 (R2010/111)]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any):

ROLL OF VOTERS N/A

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and actions taken by AEC: N/A

Other irregularities identified, and action taken: N/A

ATTACHMENTS

A Uncontested Offices

Rhys Richards
Returning Officer
14 February 2012

**Communications,Electrical, Electronic, Energy,
Information, Postal, Plumbing & Allied Services Union
NSW Divisional Branch Plumbing Division**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2011/2679

ACT Sub-Branch

Sub-Branch President

Candidate

MORRISON, Brendon

Sub-Branch Secretary

Candidate

KIRKWOOD , Damian

Sub-Branch Trustee

Candidate

PRITZLER, Frank

Sub-Branch Committee of Management Member (3)

No nominations were accepted

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
14 February 2012



21 November 2011

Mr Damien Kirkwood
ACT Sub-Branch Secretary, Plumbing Division
Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia
PO Box 126
MITCHELL ACT 2911

Fair Work
Australia

Dear Mr Kirkwood

**Re: Arrangements for the conduct of an Election
(E2011/2679)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

James Hall
Fair Work Australia



FAIR WORK
AUSTRALIA

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
(E2011/2679)

T. NASSIOS

MELBOURNE, 18 NOVEMBER 2011

Arrangement for conduct of election.

[1] On 27 October 2011, the Australian Capital Territory Sub-Branch of the New South Wales Divisional Branch of the Plumbing Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia lodged with Fair Work Australia prescribed information for an election.

[2] On 15 November 2011, the Australian Capital Territory Sub-Branch of the New South Wales Divisional Branch of the Plumbing Division of the abovenamed organisation lodged further prescribed information in relation to an election for the following offices:

Sub-Branch President	(1)
Sub-Branch Secretary	(1)
Sub-Branch Trustee	(1)
Sub-Branch Committee of Management member	(3)

[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
FAIR WORK AUSTRALIA

Printed by authority of the Commonwealth Government Printer

<Price code A, PR516288 >



FAIR WORK
AUSTRALIA

Facsimile

To:	Australian Electoral Commission		
Organisation:			
Fax No:	02 9375 6336		
From:	James Hall		
Email:	james.hall@fwa.gov.au		
Fax No:	02 9380 6990	Phone No:	02 8374 6641
No. of Pages:	5 (including cover)	Date:	21 November 2011
		Time:	10:45 am

Please notify sender if all pages were not received.

Any information about individuals contained in this fax is confidential and may not be used or disclosed further. If you are not the intended recipient, please contact the sender immediately.

Message:

Please see attached decision regarding upcoming election of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Plumbing Division, ACT Sub-Branch in election E2011/2679.

Please also attached additional prescribed information sent by organisation on 15 November 2011. We have been unable to e-mail to this information previously given the technical difficulties faced by FWA recently.



FAIR WORK
AUSTRALIA

21 November 2011

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au, fax: 02 9375 6336)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2011/2679

**RE: COMMUNICATIONS, ELECTRICAL, ELECTRONIC, ENERGY, INFORMATION,
POSTAL, PLUMBING AND ALLIED SERVICES UNION OF AUSTRALIA, PLUMBING
DIVISION, ACT SUB-BRANCH**

Position:

See Decision

Relevant Information: Scheduled election; secret postal ballot.

Contact: Mr Damien Kirkwood
Secretary, ACT Sub-Branch

Phone: (02) 6163 6666

A copy of the Decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au.

James Hall
Fair Work Australia

Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
International: (612) 8374 6666
Facsimile: (02) 9380 6990
Email: sydney@fwa.gov.au



CEPU - PLUMBING DIVISION

FEDERAL OFFICE
ABN 40 655 883 201

EARL SETCHES
Federal Secretary

52 Victoria St
Cairton, South 3953

Ph: 03 9662 3308
Fax: 03 9663 7516

Friday 15th October 2011

Resolution

At this special meeting of the Australian Capital Territory Branch called on Friday 15th October 2011 we endorse the following positions for re-election for the term of 4 years to represent the ACT members of the CEPU Plumbing Division.

Offices/Positions

A	Australian Capital Territory Sub-Branch President (1) (Direct Voting System)
	Australian Capital Territory Sub-Branch Secretary (1) (DVS)
	Australian Capital Territory Sub-Branch Trustees (1) (DVS)
	Australian Capital Territory Sub-Branch Committee of Management Members (3) (DVS)

The motion was put by: Brendon Morrison

Seconded: Glenn Nichols

The motion was carried

Signed: Damien Kirkwood
Secretary



CEPU - PLUMBING DIVISION

FEDERAL OFFICE
ABN 40 655 803 201

EARL SETCHES
Federal Secretary

52 Victoria St
Carlton South, 3053

Ph: 03 9662 3380
Fax: 03 9663 7516

14th November 2011

David Vale

Manager, Organisations-NSW

Fair Work Australia

Please be advised that the resolution dated 15th October 2011 for the election of previously advised nominations for positions did not call for the election of Sub-Branch Vice President, and only one Sub-Branch Trustee for the ACT Sub-Branch election.

Damian Kirkwood



Fair Work
Australia

2 November 2011

Mr Damien Kirkwood
ACT Sub-Branch Secretary, Plumbing Division
Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia
PO Box 126
MITCHELL ACT 2911

Dear Mr Kirkwood

Also by facsimile: 02 6163 6667

**Re: Arrangements for the conduct of an Election
(E2011/2679)**

I acknowledge receipt of prescribed information dated 18 October 2011 lodged with Fair Work Australia (**FWA**) on 27 October 2011 for the conduct of an election for the Australian Capital Territory Sub-Branch of the New South Wales Branch, Plumbing Division, Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**CEPU**).

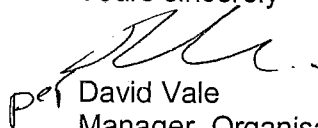
The prescribed information appears to exhibit the following omissions:

1. The offices listed as requiring an election do not include the office of Australian Capital Territory Sub Branch Vice-President. Pursuant to rules 48.2.1(b) and 63.3 of the rules of the Plumbing Division of the CEPU (**the rules**), the office of Vice-President should be included within the prescribed information unless the Branch Committee of Management has determined otherwise. FWA has not received any documentation to indicate that the Branch Committee of Management has determined not to hold elections for the office of Newcastle Sub-Branch Vice President.
2. The PI provides for the election of only one (1) Australian Capital Territory Sub-Branch Trustee. Pursuant to rules 48.2.1(e) and 63.3 of the rules, the prescribed information should provide for the election of two (2) Australian Capital Territory Sub-Branch Trustees unless the Branch Committee of Management has determined otherwise. FWA has not received any documentation to indicate that the Branch Committee of Management has determined that the Australian Capital Territory Sub-Branch has determined to call for the election of only one such office.

Given the above, could you please provide resolutions from the Australian Capital Territory Sub-Branch Committee of Management confirming that it has resolved to not call for the election of a Sub-Branch Vice President and only one Sub-Branch Trustee **or** re-lodge amended prescribed information providing for the election of such offices.

If you have any questions relating to any of the above matters please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely


per David Vale

Manager, Organisations - NSW
Fair Work Australia

Level 8, Terrace Tower
80 William Street
EAST SYDNEY NSW
2011

Telephone: (02) 8374 6666
Facsimile: (02) 9380 6990
Email : david.vale@fwa.gov.au
Internet : www.fwa.gov.au

HALL, James

From: HALL, James
Sent: Friday, 28 October 2011 11:05 AM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2679 - Application/Notification by Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Plumbing Division NSW Divisional Branch
Attachments: CEPU Plumbing 128V-PLU_R2011 110_R2011 111.pdf; CEPU E2011_2679 PLU - ACT PI Lodged 27102011.pdf

Dear AEC

Please find the prescribed information and a copy of the current rulebook for an upcoming election of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – Plumbing Division –ACT Divisional Branch (E2011/2679).

Regards

JAMES HALL

Registered Organisations Unit - Sydney
Fair Work Australia

Level 8
Terrace Tower
80 William Street
East Sydney NSW 2011

Tel: 02 8374 6641
Fax: 02 8374 6990
Email: james.hall@fwa.gov.au



CEPU - PLUMBING DIVISION

FEDERAL OFFICE
ABN 40 653 092 201EARL GITCHES
Federal Secretary52 Victoria St
Carlton South 3053Ph: 03 9662 3398
Fax: 03 9663 7516**Signed Statement of Prescribed Information for an Election**

I, Damien Kirkwood being the Australian Capital Territory Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, Australian Capital Territory Branch, make the following statement;

I am the Australian Capital Territory Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, Australian Capital Territory,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Australian Capital Territory Sub-Branch of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, Australian Capital Territory Sub-Branch, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009

Signed: [signature]

Dated: 18 October 2011

Offices/Positions

A	Australian Capital Territory Sub-Branch President (1) (Direct Voting System)
	Australian Capital Territory Sub-Branch Secretary (1) (DVS)
	Australian Capital Territory Sub-Branch Trustees (1) (DVS)
	Australian Capital Territory Sub-Branch Committee of Management Members (3) (DVS)

Reasons for election:

- " Election for offices and positions marked A respectively is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for the direct voting system is the whole of the Australian Capital Territory Sub-Branch.

Nominations open:

- For offices to be elected by direct voting system - the last Monday in March. (see note below)

Nominations close:

- For offices to be elected by direct voting system - The last Monday in April (see note below)

Cut off date for roll:

- In all cases - 7 days prior to the opening date for nominations - rule 49.9. (see note below)

Notes:

- The Elections in New South Wales (NSW) and the Australian Capital Territory Sub-Branch could not be held on the dates above as there were rule changes that were going through the approval process. The rules have now been approved therefore the elections can now take place.

Rule 49.4

Nominations shall be called for by advertisement in a daily newspaper circulating in the State or Territory in which the Branch is situated.

Nominations must open no later than the last Monday in March in each election year. The closing date for nominations shall be the last Monday in April, 1995 and in each fourth year thereafter. Provided that any nomination may be withdrawn upon written notice of the nominee delivered to the Returning Officer within two weeks of the close of nominations.



CEPU - PLUMBING DIVISION

FEDERAL OFFICE
ABN 40 695 083 201EARL SETHI (ES)
Federal Secretary52 Victoria St
Croydon South 3135Ph: 03 9662 3388
Fax: 03 9663 7516Friday 15th October 2011

Resolution

At this special meeting of the Australian Capital Territory Branch called on Friday 15th October 2011 we endorse the following positions for re-election for the term of 4 years to represent the ACT members of the CEPU Plumbing Division.

Offices/Positions

A	Australian Capital Territory Sub-Branch President (1) (Direct Voting System)
	Australian Capital Territory Sub-Branch Secretary (1) (DVS)
	Australian Capital Territory Sub-Branch Trustees (1) (DVS)
	Australian Capital Territory Sub-Branch Committee of Management Members (3) (DVS)

The motion was put by: Brendon Morrison

Seconded: Glenn Nichols

The motion was carried


Signed: Damien Kirkwood
Secretary