



25 September 2019

Earl Setches
Divisional Secretary / Fed Vice President
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services
Union of Australia - Plumbing Division
Sent via email: info@pteu.asn.au

Dear Earl Setches,

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 in matter E2019/81. 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, as soon as practicable after receiving the post-election report, 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 - Plumbing 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.

Yours faithfully,

Romy Kaur
Registered Organisations Commission



25 September 2019

Earl Setches

Divisional Secretary / Fed Vice President

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services

Union of Australia - Plumbing Division

Sent via email: info@pteu.asn.au

Dear Earl Setches

Organisation must respond to the post-election report of the Australian Electoral Commission: E2019/81

On 13-09--2019 the Registered Organisations Commission (the ROC) received a post election report from the Australian Electoral Commission (AEC) for election E2019/81. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular Rule Multiple Nominations rule is not included in the Organisations rules. This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and
- within 30 days of giving the response to the AEC:
 - lodges with the ROC a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the ROC for assistance by email to regorgs@roc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the ROC is NOT able to provide advice and assistance regarding draft alterations or the processes required to make the alterations. Rule alterations remain a function of the Fair Work Commission.

Yours faithfully

Romy Kaur
Registered Organisations Commission

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

Plumbing Division

DECLARATION OF RESULTS - E2019/81

Uncontested Offices

Scheduled Election

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 are:

The Plumbing Division - Divisional Officers

Divisional President (1)

Candidates

MCCRUDDEN Patrick

Divisional Deputy President (1)

Candidates

SAMARTZOPOULOS Theo

General Secretary (1)

Candidates

SETCHES Earl

Assistant General Secretary (1)

Candidates

O'HALLORAN Gary

Divisional Trustees (3)

Candidates

MCCRUDDEN Patrick

MENZIES Glenn

SAMARTZOPOULOS Theo

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



Chris Cox
Returning Officer
Telephone: 02 9375 6301
Email: nswelections@aec.gov.au
28/08/2019

13 September 2019

Post-election report

**Communications, Electrical,
Electronic, Energy, Information,
Postal, Plumbing and Allied Services
Union of Australia
Plumbing Division E2019/81**

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters.....	3
Irregularities.....	3
Other Matters.....	4
Signed.....	4
Attachments.....	4

Election(s) Covered in this Report

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

Election: Scheduled

Election Decision No/s: E2019/81

Rules

Rules used for the election:	[128V-PLU Incorporates alternations certified on 13/12/18 in matter R2018/303](replaces Version certified on 18/2/2015 on 28/8/2015[R2018/303])
Rules difficult to apply/interpret:	Multiple Nominations rule is not included in the Organisations rules
Model Rule reference (if any):	Refer to Model Rule 8 : Multiple Nominations

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

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:

The Rule is silent for withdrawal of Nominations therefore the Returning Officer exercised the authority given to her under s.193 of the Fair Work Commission Act to close withdrawal of nominations at the same time for close of nominations at the meeting.

Other Matters

Details:

- Rule 28.4 states that the returning Officer shall be a financial member of the Division. Given the AEC are the ballot agents ordered by the Registered Organisation Commission we are not able to adhere to this Rule.
- It is the view of the Returning Officer that the organisation should include a Rule regarding multiple nominations. See above for Model Rule Reference

Signed



Chris Cox
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6301
13 September 2019

Attachments

A. Declaration of Results for Uncontested Offices – Plumbing Division



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 - Plumbing Division (E2019/81)

MELBOURNE, 27 MAY 2019

Arrangement for conduct of election.

[1] On 21 January 2019 the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Plumbing Division lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

The Plumbing Division

Divisional President	(1)
Divisional Deputy President	(1)
General Secretary	(1)
Assistant General Secretary	(1)
Divisional Trustees	(3)

[2] 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.



Printed by authority of the Commonwealth Government Printer

PR351369

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

1. I am authorised to sign this statement containing prescribed information for the CEPU, Plumbing Division.
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. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed:

Earl Setches

Dated:

18/01/19

[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	Reason for Election	Electorate
Divisional Council	Divisional President	1	Direct voting system; Collegiate electoral system	Scheduled; Casual vacancy; New office created; Insufficient nominations	Divisional Council (rule 28.2)
Divisional Council	Divisional Deputy President	1	CES	Scheduled	Divisional Council (rule 28.2)
Divisional Council	General Secretary	1	CES	Scheduled	Divisional Council (rule 28.2)
Divisional Council	Assistant General Secretary	1	CES	Scheduled	Divisional Council (rule 28.2)
Divisional Council	Divisional Trustees	3	CES	Scheduled	Divisional Council (rule 31.1)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN		at the first session of the Biennial meeting of the Divisional Council held after the declaration of the quadrennial branch elections in 2019 (rule 28)
Nominations CLOSE		at the Biennial meeting of the Divisional Council held after the declaration of the quadrennial branch elections in 2019 (rule 28)
Roll of Voters cut off date		at the Biennial meeting of the Divisional Council held after the declaration of the quadrennial branch elections in 2019 (rule 28)