

**Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing & Allied Services Union of Australia
Plumbing Division
Newcastle Sub-Branch - NSW Divisional Branch**

Declaration of Results for Uncontested Offices

E2015/E101

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.

Newcastle Sub-Branch

Sub-Branch President

Candidates

CAMPBELL, Peter

Sub-Branch Secretary

Candidates

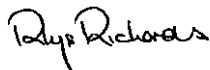
MCCARNEY, Stephen

Sub-Branch Committee of Management Members (3)

Candidates

MACKAWAY, Ron
POPPLEWELL, Richard
POWELL, 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

28 May 2015



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

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

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2015/101

RULES

Rules used for elections Rule ID: [128V-PLU:Incorporates alterations of 18/2/2015
[R2013/149]

Rules difficult to apply/interpret: None

Model Rule reference (if any):

ROLL OF VOTERS

Total number of voters on the roll N/A

Number of apparent workplace addresses

Number of non-current addresses

Other Matters Nil

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: Uncontested Declaration

Rhys Richards
Returning Officer
29 May 2015

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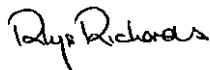
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Rhys Richards
Returning Officer

28 May 2015



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**
(E2015/101)

MR ENRIGHT

MELBOURNE, 17 MARCH 2015

Arrangement for conduct of election.

[1] On 6 March 2015, the Newcastle 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 (CEPU) lodged with the Fair Work Commission the prescribed information in relation to an election for offices within the Newcastle Sub-Branch.

[2] On 13 March 2015, the Fair Work Commission contacted the CEPU and requested clarification regarding the number of offices of Sub-Branch Committee of Management Member required to be elected.

[3] On 16 March 2015, the Newcastle Sub-Branch of the New South Wales Divisional Branch of the Plumbing Division of the CEPU lodged further prescribed information for the following offices:

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

[4] The prescribed information was not lodged before the prescribed day in accordance with section 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act).

[5] On 11 March 2015, Mr Earl Setches, the Divisional Secretary of the Plumbing Division of the CEPU (the Division), provided a request for an extension of time for lodgement of the prescribed information. The request provides that the delay in lodgement arose due to a misunderstanding of the definition of “prescribed day” as set out in regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. Mr Setches further notes that the various pieces of prescribed information for the last quadrennial elections for offices of the Division and its branches and sub-branches were also lodged in 2011 according to that previous misunderstanding.

[6] Rule 49.4 of the rules of the Division provides that nominations “must open no later than the last Monday in March in each election year”. Therefore, according to the rules of the Division, the first day when a person may become a candidate in the election is 30 March 2015 at the latest. Given this, the prescribed information was required to be lodged before 30 January 2015.

[7] With regard to the request for an extension of time for lodgement of the prescribed information, I have considered the explanation for the delay in lodging the prescribed information provided by Mr Setches. Having regard to the normal and reasonable expectation that registered organisations take steps to ensure that they comply with the time-frame requirements set out not only in the Act but also in instruments or references pertaining to their own governance formulated by organisations themselves, I decline on this occasion to allow, in the formal sense intended by section 189(2) of the Act, a later day for lodgement.

[8] The refusal of an extension of time under section 189(2) of the Act does not, however, affect a determination of an election notification matter for the purposes of section 189(3) of the Act.

[9] 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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Plumbing Trades Employees Union

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Federal President: Paddy McCrudden
Federal Secretary: Earl Setches



16/03/2015

Fair Work Commission

Registered Organisations Team

From : Stephen McCarney CEPU Plumbing Division Newcastle Sub Branch Secretary

Re: Mistake in lodging Election.

To whom it may concern.

I have been alerted to a mistake in the lodging of material for the upcoming election for the Newcastle Sub Branch of the CEPU Plumbing Division.

On the prescribed statement of information it states that there is 6 Committee of Management members up for election.

As per the Resolution of the Special Meeting this should read 3 Committee of Management positions and not 6 as is written on the prescribed statement.

Please accept my apologies for this mistake.

Thankyou

Stephen McCarney

CEPU Plumbing Division Newcastle Sub Branch Secretary.

25 February 2015

Resolution

At this special meeting of the Newcastle Sub- Branch of the CEPU Plumbing Division we endorse that the following positions be posted for re-election.

Newcastle Sub-Branch President (1) (Direct Voting System DVS)

Newcastle Sub-Branch Secretary (1) (DVS)

Newcastle Sub-Branch Committee of

Management Members (3) (DVS)

This motion was discussed and moved by D Powell (Member)

This motion was seconded by R Mackaway (Member)

Motion was carried

Signed:

P. Campbell 25-2-15

Peter Campbell (Newcastle Sub-Branch President)


SIGNED STATEMENT OF PRESCRIBED INFORMATION FOR AN ELECTION

I, Stephen McCarney being the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, NSW Branch, make the following statement.

I am the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, NSW Branch.

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

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

Signed: 
Dated: 25 February 2015

Offices/ Positions "A"

Newcastle Sub-Branch President (1) Direct Voting System
Newcastle Sub-Branch Secretary (1) (DVS)
Newcastle Sub-Branch Committee of Management Members (6) (DVS)

Reason 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 voting system is the whole of the membership of New South Wales Branch resident within a radius of forty kilometres from Newcastle Post Office.

Nominations Open:

For the offices to be elected by direct voting system – the last Monday in March

Nominations Close:

For the offices to be elected by direct voting system – the last Monday in April

Cut-off Date for Roll:

In all cases – 7 days prior to the opening date for nominations – Rule 49.9 (see note below)

Notes:

Given that the last Monday in April is a Public Holiday and there are a total of 3 Public Holidays in the nomination period it may be necessary to change the date of nominations closing to the last Friday in April. If the date is to change the actual closing date will not be in accordance with the CEPU Plumbing Rules. (Rule 49.9).

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.