



20 June 2016

Mr John Adley
Branch Secretary

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

Fax: (08) 8352 1711

Dear Mr Adley,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the elections [E2015/300 and E2016/97]. 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.

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 should be provided for in your organisation's rules.

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 - South Australian Divisional Branch 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Michael Moutevelis

Regulatory Compliance Branch

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

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

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)

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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

svc-adlib5

From: Murray Hutchinson <Murray.Hutchinson@aec.gov.au>
Sent: Friday, 17 June 2016 4:34 PM
To: Orgs
Cc: Industrial Elections
Subject: Post Election Report for CEPU - E2015/300 & E2016/97 [DLM=For-Official-Use-Only]
Attachments: PER Report to FWC & Industrial Elections.pdf; Declaration Report.pdf

For-Official-Use-Only

Good Afternoon,

Please find attached Post Election Report for the CEPU Elections E2015/300 & E2016/97, thank you

Regards;

Murray

Murray Hutchinson | Returning Officer

Industrial & Commercial Elections Section | SA State Office

Australian Electoral Commission

T: (08) 8237 6567 | M: 0408 837 766 | F: (08) 8237 6581



Make sure you're **enrolled to vote.**
Visit www.aec.gov.au

For-Official-Use-Only

DISCLAIMER:

If you have received this transmission in error please notify us immediately by return email and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or attachments.

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

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

Plumbing and Fire Protection Industry Section (2)
Electrical Contracting Industry Section (1)

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2015/300 & E2016/97

RULES

Rules used for the election: 128V-ELE: Incorporates alterations certified on
08/03/2016 in matter R2015/265, 266, 268,
269 (replaces 12/08/2015)

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 670 voters

Other matters pertaining to the roll of voters: Nil

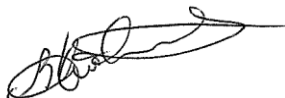
IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENT

Declaration of Results – Uncontested Election



Murray Hutchinson
Returning Officer
16 June 2016

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

Electrical, Energy and Services Division

South Australian Divisional Branch

**Casual Vacancies Election
E2015/300 & E2016/97**

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.

1. Divisional State Councillor - Electrical Contracting Industry Section

Candidates

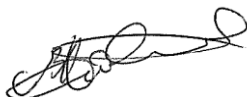
No nomination was received

**2. Divisional State Councillor - Plumbing and Fire Protection Industry
Section (2)**

Candidates

BUSH, Garth
STEFFAN, Scott

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



Murray Hutchinson
Returning Officer

9 June 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**
(E2016/97)

MR ENRIGHT

MELBOURNE, 9 MARCH 2016

Arrangement for conduct of election.

[1] On 4 March 2016 the South Australian Divisional Branch (the Branch) of 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 Commission) prescribed information in relation to an election, for the remainder of the term, arising from insufficient nominations in a previous election (E2015/264) and a casual vacancy for the following offices:

Divisional State Councillors from the following sections:

Plumbing and Fire Protection Industry	(1)
Electrical Contracting Industry	(1)

[2] The prescribed information initially provided that an election was required for two (2) offices of Divisional State Councillor from the Plumbing and Fire Protection Industry due to two casual vacancies arising. However, the conduct of an election for one of those offices due to a casual vacancy caused by the resignation of the previous holder of that office has already been arranged pursuant to a decision issued on 21 December 2015 in matter E2015/300¹. On 8 March 2016, the Australian Electoral Commission advised the Commission that it had not yet conducted the relevant election for this previous election matter.

[3] Given the above, on 8 March 2016, the Commission wrote to Mr John Adley, Branch Secretary of the Branch, seeking his confirmation that an election for only one (1) office of Divisional State Councillor from the Plumbing and Fire Protection Industry was required. On the same date, Mr Adley responded to the Commission by confirming that an election was required for only one (1) office of Divisional State Councillor from the Plumbing and Fire Protection Industry.

[4] 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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR577757>

Endnotes:

¹ *Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia*
[2015] FWCD 8804.

svc-adlib5

From: John Adley <JohnA@cepusa.com.au>
Sent: Tuesday, 8 March 2016 1:46 PM
To: HALL, James
Subject: RE: E2016/97 - CEPU Casual Vacancy Election

Dear James,

As per your email below, I confirm email that an election is only required to be arranged for one office of Divisional State Councillor from the Plumbing and Fire Protection Industry. This is because an election decision arranging for the conduct of the other office of Divisional State Councillor from the Plumbing and Fire Protection Industry was already issued by the Fair Work Commission on 21 December 2015 and has not yet been acted upon by the AEC.

Regards,

John Adley
Branch Secretary
CEPU Electrical Energy and Services Division
S.A. Branch

P: (08) 8234 2130
M: 0447 803 299
E: JohnA@cepusa.com.au



[Join Us – Click Here](#)

www.cepusa.com.au

From: HALL, James [<mailto:James.HALL@fwc.gov.au>]
Sent: Tuesday, 8 March 2016 11:39 AM
To: John Adley
Subject: E2016/97 - CEPU Casual Vacancy Election

Dear John

I refer to the prescribed information lodged on 4 March 2016 (E2016/97) which provides that an election is required due to casual vacancies arising in the offices of Divisional State Councillor from the following industry sections:

- Plumbing and Fire Protection Industry (2)
- Electrical Contracting Industry (1)

As you note in the prescribed information, the office of Divisional State Councillor from the Electrical Contracting Industry was subject to a casual vacancy election last year in matter E2015/264 and that no nominations were received for this office. Therefore, there is no impediment in the Fair Work Commission issuing a decision arranging for the conduct of this election for the present matter.

Similarly, the casual vacancy in one of the offices of Divisional State Councillor from the Plumbing and Fire Protection Industry caused by the resignation of Mr Buchanan can also be included in the decision for the present matter as there does not appear to be any uncompleted election with regard to filling of this vacancy.

However, the vacancy caused in the second office of Divisional State Councillor from the Plumbing and Fire Protection Industry caused by the resignation of Mr Mutton is already subject to an election matter (E2015/300) which the AEC has yet take action in relation to. The Fair Work Commission issued a decision in relation to this matter on 21 December 2015 directing the AEC to conduct the election for this office (see attached).

The process in which elections are arranged is that, upon lodgement of the prescribed information by an organisation, the Fair Work Commission will issue a written decision (such as the one attached) to both the organisation and the AEC. Upon receipt of this decision, the AEC will conduct the election for the offices set out in the decision. In this way, the AEC is bound to conduct the election in accordance with the terms of the decision.

Given that the AEC has yet to act upon the decision issued on E2015/300, there is a concern that the Fair Work Commission cannot issue another decision in the present matter arranging for the conduct of an election for the same office. I have been in touch with the AEC and they have advised me that the reason they have not yet acted upon the decision issued in E2015/300 is that they were aware that the branch would lodge further prescribed information in relation to other casual vacancies and that they were planning to conduct the election for this matter in conjunction with the election for those further casual vacancies. The AEC has further confirmed that they will conduct the election in matter E2015/300 at the same time as the election required by the resignation of Mr Buchanan.

Given the above, in order to further progress this matter, could you please confirm by reply email that an election is only required to be arranged for one office of Divisional State Councillor from the Plumbing and Fire Protection Industry. This is because an election decision arranging for the conduct of the other office of Divisional State Councillor from the Plumbing and Fire Protection Industry was already issued by the Fair Work Commission on 21 December 2015 and has not yet been acted upon by the AEC.

I hope the above makes sense and I'm sorry for any inconvenience caused.

Regards

JAMES HALL

Senior Advisor
Regulatory Compliance Branch - NSW
Fair Work Commission

Level 10
Terrace Tower
80 William Street
East Sydney NSW 2011

Tel: 02 9308 1975
Fax: 02 9380 6990
Email: james.hall@fwc.gov.au

Please note that my telephone number has changed

Please consider the impact to the environment and your responsibility before printing this email. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.



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**
(E2015/300)

MR ENRIGHT

MELBOURNE, 21 DECEMBER 2015

Arrangement for conduct of election.

[1] On 11 December 2015, the South Australian Divisional Branch of 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 a casual vacancy election, for the remainder of the term, for the following office:

Divisional State Councillor from the following section:

Plumbing and Fire Protection Industry (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

Printed by authority of the Commonwealth Government Printer
<Price code A, PR575267>

svc-adlib5

From: John Adley <JohnA@cepusa.com.au>
Sent: Friday, 4 March 2016 4:49 PM
To: Orgs
Subject: CEPU SA State Council elections
Attachments: Corey Mutton resignation.pdf; Jason Smith State Council resignation.pdf; D Buchanan State Council Resignation.pdf; State Council elections request 4_3_16.pdf; Attachment A 4_3_16.docx

Categories: RIA

Good afternoon,

Apologies, please disregard my previous email, I pressed the send button prematurely by accident.

Please find attached a letter requesting elections be held for casual vacancies on the CEPU SA Divisional Branch State Council and associated attachments.

Regards,

John Adley
Branch Secretary
CEPU Electrical Energy and Services Division
S.A. Branch

P: (08) 8234 2130
M: 0447 803 299
E: JohnA@cepusa.com.au



[Join Us – Click Here](#)

www.cepusa.com.au



4th March 2016

Mr James Hall
Senior Advisor
Regulatory Compliance Branch - NSW
Fair Work Commission

Level 10
Terrace Tower
80 William Street
East Sydney
NSW 2011

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

Dear James,

Please be advised that the South Australian Branch of the CEPU Electrical, Energy and Services Division, is required to conduct elections to fill a casual vacancies for Divisional Branch State Council positions for the following Industry Sectors:

- Plumbing and Fire Protection Industry – 2 positions
- Electrical Contracting Industry – 1 Position

Accordingly, pursuant to ss182 and 189 of the Act, the Branch requests that the Fair Work Commission arrange for the Australian Electoral Commission to conduct elections to fill the casual vacancies on the Branch State Council.

These elections are necessary as Divisional Branch State Councillors Jason Smith (Electrical Contracting), Corey Mutton (Plumbing and Fire Protection Industry) and Doug Buchanan (Plumbing and Fire Protection Industry) have resigned their positions; copies of their resignations are attached.

The Australian Electoral Commission has previously conducted an election (CEPU Casual Vacancy SA - Divisional Branch E2015/264) for the Electrical Contracting Industry position, but no nominations were received.

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 'Adley', written in a cursive style.

John Adley
Branch Secretary
CEPU Electrical Energy Services Division - SA Branch

Fair Work (Registered Organisations) Act & Regulations 2009

CEPU SOUTH AUSTRALIAN BRANCH

Election to fill a Casual Vacancy – 4th March 2016

Prescribed information pursuant to s189{1} & regulation 138

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

- Divisional State Councillor, Plumbing and Fire Protection Industry Section – 2 Positions
- Divisional State Councillor, Electrical Contracting Industry – 1 Position

b. Reason for the election

This election is to fill the casual vacancies which have arisen as a result of the resignation of current State Councillors representing:

- The Plumbing and Fire Protection Industry Section - Corey Mutton and Douglas Buchanan and;
- The Electrical Contracting Industry Section - Jason Smith

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 State Councillor - Plumbing and Fire Protection Industry Section	All financial members of the SA Branch Plumbing and Fire Protection Industry Section
Divisional State Councillor – Electrical Contracting Industry Section	All financial members of the SA Branch Electrical Contracting Industry Section

e. Date of commencement and expiration of nomination period

As this is an election to fill a casual vacancy on the State Council, 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 State Council, 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 direct election determined by a secret ballot of all the financial members of the relevant industry Section of the SA Divisional Branch.