



27 June 2019

Michael O'Connor
National Secretary / Divisional Secretary
Construction, Forestry, Maritime, Mining and Energy Union - Manufacturing Division
Sent via email: industrial@cfmeuffpd.org

cc: nationalqueries@cfmeu.org

Dear Michael O'Connor,

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 E2018/287. 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 Construction, Forestry, Maritime, Mining and Energy Union - Manufacturing 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

Construction, Forestry, Maritime, Mining and Energy Union

Manufacturing Division

DECLARATION OF RESULTS - E2018/287 Uncontested Offices

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:

Divisional Conference

Divisional Senior Vice President (TCF) (1)

Candidates

MACPHERSON Beth

Transitional TCF Divisional Executive Position (1) (1)

Candidates

SMITH Warren

Transitional TCF Divisional Executive Position (2) (1)

Candidates

JAN Hunt

Transitional TCF Divisional Executive Position (3) (1)

Candidates

PHAM Thi Thuy

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



Anthony Carey
Returning Officer
Telephone: 02 9375 6361
Email: nswelections@aec.gov.au
16/05/2019

27 May 2019

Post-election report

**Construction, Forestry, Maritime,
Mining and Energy Union, The
Manufacturing Division
E2018/287**

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Election(s) Covered in this Report

Organisation: Construction, Forestry, Maritime, Mining and Energy Union,
The Manufacturing Division
Election Decision No/s: E2018/287

Rules

Rules used for the election: [105N-ATAI: Incorporates alterations of 15 October 2018]
[R2018/253] (replaces rulebook dated 27 March 2018
[D2017/05])

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

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: None

Other irregularities identified, and action taken: None

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

The Union Rules require the election be conducted at the 2019 Divisional Conference. As the Rules do not address the current situation whereby there will be no Divisional Conference, I was required to create additional rules for this election to be conducted as a postal ballot.

As the Union Rules are silent on withdrawal of nominations I determined that the withdrawal of nominations closed at the same time as the close of nominations.

Signed



Anthony Carey
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6361
27 May 2019

Attachments

A. Declaration of results for Uncontested Offices



DECISION

Fair Work (Registered Organisations) Act 2009
s.189—Arrangement for conduct of an election

Construction, Forestry, Maritime, Mining and Energy Union - Manufacturing Division (E2018/287)

MR ENRIGHT

MELBOURNE, 22 FEBRUARY 2019

Arrangement for conduct of election.

[1] On 20 December 2018 the Construction, Forestry, Maritime, Mining and Energy Union - Manufacturing Division lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Divisional Senior Vice President (TCF)	(1)
Transitional TCF Divisional Executive Position [1]	(1)
Transitional TCF Divisional Executive Position [2]	(1)
Transitional TCF Divisional Executive Position [3]	(1)

[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.



DELEGATE OF THE COMMISSIONER

Printed by authority of the Commonwealth Government Printer

<PR351292>

20 December 2018

Mr Mark Bielecki
Commissioner
Registered Organisations Commission

By email: regorgs@roc.gov.au

Dear Commissioner,

**PRESCRIBED INFORMATION FOR ELECTIONS
CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION**

In accordance with section 189 of the *Fair Work (Registered Organisations) Act 2009* and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*, I provide prescribed information below regarding elections to be held at the February 2019 Divisional Conference by the Construction, Forestry, Maritime, Mining and Energy Union - Manufacturing Division.

I, Michael O'Connor, being the Manufacturing Division Secretary of the Construction, Forestry, Maritime, Mining and Energy Union ('CFMEU') make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Manufacturing Division of the CFMEU.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. The elections that are required are set out in Annexure A, attached.
4. No rules alterations to the CFMEU – Manufacturing Division Rules are pending that will impact the election.
5. The date and time for the opening of nominations will be determined by the returning officer in accordance with the rules.
6. The date and time for the closing of nominations will be determined by the returning officer in accordance with the rules.



7. This statement is lodged at least 2 months before nominations open for the election below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M O'Connor', enclosed within a large, loopy circular flourish.

Michael O'Connor

Secretary

Manufacturing Division, Construction, Forestry, Maritime, Mining and Energy Union

ANNEXURE A – TO PRESCRIBED INFORMATION

Elections that are required

Branch/District	Name of Office	Number required	Voting System	Reason for Election	Electorate
Manufacturing Division – Divisional Conference	Divisional Senior Vice President (TCF)	1	Collegiate voting system	Election required under Rule 44(vi)	Divisional Conference delegates representing the TCF Sector – Rule 9(ii); Rule 44(xii) 3.(b)
Manufacturing Division – Divisional Conference	Transitional TCF Divisional Executive Position [1]	1	Collegiate voting system	Election required under Rule 44(vii) 2.	Divisional Conference - Rule 44(xii) 3.(c)
Manufacturing Division – Divisional Conference	Transitional TCF Divisional Executive Position [2]	1	Collegiate voting system	Election required under Rule 44(vii) 2.	Divisional Conference - Rule 44(xii) 3.(c)
Manufacturing Division – Divisional Conference	Transitional TCF Divisional Executive Position [3]	1	Collegiate voting system	Election required under Rule 44(vii) 2.	Divisional Conference - Rule 44(xii) 3.(c)