



E2005/140

CONSTRUCTION

FORESTRY

MINING

ENERGY

UNION

8th July 2005

Deputy Industrial Registrar
Australian Industrial Registry
80 William Street
SYDNEY 2000

Attention : Mr. B. Jenkins.

Dear Sir

Re : Prescribed Information
Regulation 138

Please find enclosed for filing relevant prescribed information and statement pursuant to Regulation 138 of the RAO Regulations.


CONSTRUCTION &
GENERAL DIVISION
ABN 46 243 168 565

JOHN SUTTON
National Secretary

FEDERAL OFFICE
LEVEL 2
15 WENTWORTH AVENUE
SYDNEY NSW 2000

PO BOX Q235
QUEEN VICTORIA BLDG
POST OFFICE
SYDNEY NSW 1230

PH: (02) 9267 7644

FAX: (02) 9267 8863

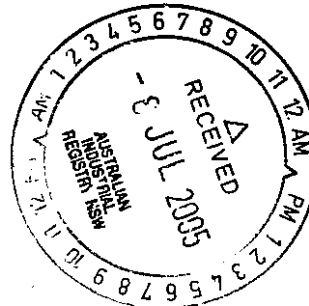
WEB:

www.cfmeu.asn.au/construction

Yours faithfully



JOHN SUTTON
National Secretary




WORKPLACE RELATIONS
(REGISTRATION AND ACCOUNTABILITY OF ORGANISATIONS)
REGULATIONS

Statement Pursuant to Regulation 138

*Workplace Relations (Registration and Accountability of Organisations)
Regulations 2003.*

I, John David Sutton, Assistant National Secretary CFMEU and National Secretary CFMEU (Construction and General Division), of 15 Wentworth Avenue, Sydney state that the information annexed to this Statement is being lodged in accordance with subsection 189 of the RAO Schedule (1B) to the *Workplace Relations Act 1996*.



.....

Signed

~~7.6.05~~ 7.7.05 J.S
.....

Date

WORKPLACE RELATIONS
(REGISTRATION AND ACCOUNTABILITY OF ORGANISATIONS)
REGULATIONS

Prescribed Information in Respect of Election

Regulation 138 – *Workplace Relations (Registration and Accountability of Organisations) Regulations.*

The following prescribed information is provided pursuant to Regulation 138 of the *Workplace Relations (Registration and Accountability of Organisations) Regulations*:

(a) The name of each office in respect of which an election is required;

- | | | |
|--------|-----------|---|
| (i) | One (1) | Divisional President |
| (ii) | Three (3) | Joint Divisional Senior Vice-Presidents |
| (iii) | Three (3) | Divisional Vice-Presidents [including one elected by and from Divisional Branch Assistant Secretaries (Plasterers)] |
| (iv) | One (1) | Divisional Secretary |
| (v) | Two (2) | Divisional Assistant Secretaries |
| (vi) | Three (3) | Divisional Trustees |
| (vii) | One (1) | Divisional Executive Member (Plasterers) |
| (viii) | Two (2) | Additional Divisional Executive Members (NSW) |
| (ix) | One (1) | Additional Divisional Executive Member (WA) |

(b) The reason for the election;

Expiry of the term of office of each of the current office holders.

(c) Where more than one of the offices in respect of which an election is required has the same name and the number of such offices can, in accordance with the rules of the relevant organization or branch, be ascertained before the prescribed day – the number of these offices;

See information provided in (a) above.

(d) Where the electorate comprises only members of a branch, section or other division of an organization – the name of that branch, section or division;

The officers referred to herein are elected by and from Divisional Branch Delegates to Divisional Conference of the Construction and General Division of the CFMEU. One of the three Divisional Vice-Presidents shall be elected by and from such Divisional Branch Delegates to Divisional Conference as hold the office of Divisional Branch Assistant Secretary (Plasterers).

Further Rule 9 1. of the Construction and General Division rules relevantly provides that the additional Divisional Executive members, referred to in (a) above [the “Additional Divisional Executive members”], shall be nominated and elected by and from bodies comprising the Divisional Conference delegates from the NSW Divisional Branch (in the case of the additional NSW Divisional Branch representatives) and the Divisional Conference delegates from the WA Divisional Branch (in the case of the additional WA Divisional Branch representative) respectively.

(e) The date and time of the commencement and expiration of the period during which nominations of candidates will be called for or may be made under the rules;

Rule 9 5. of the Construction and General Division Rules relevantly provides that nominations shall be called for by the Returning Officer on a date fixed by the Returning Officer following the fixing by Divisional Executive pursuant to sub-rule 8(xi) of a date and place for the holding of elections required under this rule and shall close fourteen days after nominations are called.

The Divisional Executive has determined that the elections shall be held on Monday 17th October, 2005 at Lorne in the State of Victoria.

(f) The voting system to be employed in the conduct of the election;

A collegiate electoral system is to be employed in the election, the relevant college being those persons elected as Divisional Branch Delegates to the Divisional Conference of the Construction and General Division of the CFMEU.

We further advise that such Divisional Branch Secretaries who are not elected to any of the positions referred to in (a)(i) to (v) herein shall also be declared elected members of the Divisional Executive although no ballot is required.

Further, the Returning Officer is required under the rules to call nominations to determine which of the two (2) Divisional Assistant Secretaries will be the designated Divisional Assistant Secretary and if necessary, conduct a ballot to determine the election.

KELLETT, Stephen

From: KELLETT, Stephen
Sent: Friday, 15 July 2005 11:55 AM
To: 'industrial.elections@aec.gov.au'
Subject: Prescribed Information E2005/140 CFMEU C & G Division

Please see attached



prescribed
information E2005_



CFMEU Const
itution R2005-144

Stephen Kellett



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

Mr John Sutton
National Secretary, Construction and General Division
CFMEU
PO Box Q235, Queen Victoria Building Post Office
SYDNEY NSW 1230

Dear Mr Sutton

Re: Arrangements for the conduct of an Election
(E2005/140)

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

The Registrar is making arrangements, under subsection 189(3) of Schedule 1B of the *Workplace Relations Act 1996*, 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

A handwritten signature in black ink that reads 'Stephen Kellett' with a horizontal line extending to the right.

Stephen Kellett
for Deputy Industrial Registrar

18 July 2005

PR960277

WORKPLACE RELATIONS ACT 1996
s189 RAO Schedule - arrangement for conduct of an election

Construction, Forestry, Mining and Energy Union
(E2005/140)

BARRY JENKINS
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 18 JULY 2005

DECISION

On 8 July 2005 the Construction and General Division of the abovenamed organisation, lodged in the Industrial Registry prescribed information under subsection 189(1) of Schedule 1B of the Workplace Relations Act 1996 in relation to elections for the following offices:

Divisional Executive

Divisional President	(1)
Joint Divisional Senior Vice Presidents	(3)
Divisional Vice Presidents (one to be elected by and from the Divisional Branch Assistant Secretaries - Plasterers)	(3)
Divisional Secretary	(1)
Divisional Assistant Secretaries	(2)
Divisional Executive Member (Plasterers)	(1)
Additional Divisional Executive Members (NSW)	(2)
Additional Divisional Executive Member (WA)	(1)

also

Divisional Trustees	(3)
---------------------	-----

I am satisfied that an election for the above offices is required to be held under the rules of the organisation and, under subsection 189(3) of Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

CONSTRUCTION AND GENERAL DIVISION

DECLARATION OF RESULTS

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/140

DIVISIONAL PRESIDENT

Candidate

PRICE, Christopher R.

JOINT DIVISIONAL SENIOR VICE PRESIDENTS (3)

Candidates

LITTLER, Albert E
MCCLELLAND, Peter
WATERS, Paul

DIVISIONAL VICE PRESIDENTS (3)

Candidates

CLOSE, Peter Andrew
CUMMINS, John
OLIVER, William M.

DIVISIONAL SECRETARY

Candidate

SUTTON, John

DIVISIONAL ASSISTANT SECRETARIES (2)

Candidates

FRASER, Lindsay
NOONAN, Dave

In accordance with Rule 9.6, Lindsay Fraser was elected unopposed as the designated Divisional Assistant Secretary.

DIVISIONAL EXECUTIVE MEMBER (PLASTERERS)

Candidate

PARRY, Glenn

ADDITIONAL DIVISIONAL EXECUTIVE MEMBERS (NSW) (2)

Candidates

FITZPATRICK, Brian

GAY, Brett Keith

ADDITIONAL DIVISIONAL EXECUTIVE MEMBER (WA)

Candidate

MCDONALD, Joe

DIVISIONAL TRUSTEES (3)

Candidates

FERGUSON, Andrew

GAY, Brett Keith

MCCLELLAND, Peter

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

Michael Pryor
Returning Officer
Australian Electoral Commission
Melbourne

18 October 2005

Australian Electoral Commission / AEC

Workplace Relations Act 1996 – Schedule 1B

RETURNING OFFICER - POST ELECTION REPORT

Client: Construction, Forestry, Mining and Energy Union Construction and General Division		
Contact details: John Sutton National Secretary, C & G Division CFMEU PO Box Q235 QVB Post Office SYDNEY NSW 1230	Email: lhockey@fed.cfmeu.asn.au Tel: (02) 8524 5800	
AIR contact officer: Stephen Kellett	Email: industrial.elections@air.gov.au Tel: (02) 8374 6666	

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2005/140
Election: Divisional President, Joint Divisional Senior Vice Presidents (3), Divisional Vice Presidents (3), Divisional Secretary, Divisional Assistant Secretaries (2), Divisional Executive Member (Plasterers), Additional Divisional Executive Members (NSW) (2), Additional Divisional Executive Members (WA), Divisional Trustees (3)
Returning Officer: Michael Pryor

RULES

Rules used for elections Rule ID: [105N-BWIU: Incorporates alterations of 22/4/05 in matter R2005/144]
Rule/s re eligibility to vote:
Rules difficult to apply/interpret:

ROLL OF VOTERS

As a Ballot was not required, therefore a Roll of Voters is not requested

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities

ATTACHMENTS

A Declaration of Results for Uncontested Offices

Michael Pryor
Returning Officer
18 October 2005

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

CONSTRUCTION AND GENERAL DIVISION

DECLARATION OF RESULTS

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2005/140

DIVISIONAL PRESIDENT

Candidate

PRICE, Christopher R.

JOINT DIVISIONAL SENIOR VICE PRESIDENTS (3)

Candidates

LITTLER, Albert E
MCCLELLAND, Peter
WATERS, Paul

DIVISIONAL VICE PRESIDENTS (3)

Candidates

CLOSE, Peter Andrew
CUMMINS, John
OLIVER, William M.

DIVISIONAL SECRETARY

Candidate

SUTTON, John

DIVISIONAL ASSISTANT SECRETARIES (2)

Candidates

FRASER, Lindsay
NOONAN, Dave

In accordance with Rule 9.6, Lindsay Fraser was elected unopposed as the designated Divisional Assistant Secretary.

DIVISIONAL EXECUTIVE MEMBER (PLASTERERS)

Candidate

PARRY, Glenn

ADDITIONAL DIVISIONAL EXECUTIVE MEMBERS (NSW) (2)

Candidates

FITZPATRICK, Brian
GAY, Brett Keith

ADDITIONAL DIVISIONAL EXECUTIVE MEMBER (WA)

Candidate

MCDONALD, Joe

DIVISIONAL TRUSTEES (3)

Candidates

FERGUSON, Andrew
GAY, Brett Keith
MCCLELLAND, Peter

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

Michael Pryor
Returning Officer
Australian Electoral Commission
Melbourne

18 October 2005