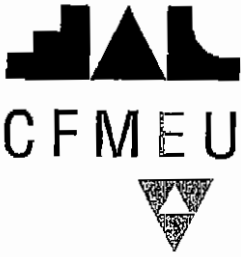


E2006/82



23 February 2006

**CONSTRUCTION**

**FORESTRY**

**MINING**

**ENERGY**

**UNION**

Deputy Industrial Registrar  
Australian Industrial Registry  
80 William Street  
EAST SYDNEY NSW 2010

Fax: (02) 9380 6990

Attn: Barry Jenkins

Dear Sir

Enclosed please find prescribed information in respect of election in accordance with Regulation 138 of the Workplace Relations (Registration and Accountability of Organisations) Regulations, together with a Statement.

Yours faithfully

John Sutton  
National Secretary  
Construction & General Division



Attch.

  
CONSTRUCTION &  
GENERAL DIVISION  
ABN 46 243 168 565

JOHN SUTTON  
National Secretary

**FEDERAL OFFICE**  
LEVEL 12  
276 PITT STREET  
SYDNEY NSW 2000

PO BOX Q235  
QUEEN VICTORIA BLDG  
POST OFFICE  
SYDNEY NSW 1230

PH: (02) 8524 5800  
FAX: (02) 8524 5801  
WEB:

[www.cfmeu.asn.au/construction](http://www.cfmeu.asn.au/construction)

**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 276 Pitt Street, 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

23.2.06  
.....  
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) - ACT Divisional Branch Northern Territory delegate to Divisional Conference of the Construction and General Division of the CFMEU.

**(b) The reason for the election;**

A new office has been created – see Divisional rule 8(viA) certified 23 December, 2005 R No. 2005/234.

**(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;**

Not applicable.

**(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 officer referred to herein is elected by and from all members of the Australian Capital Territory Divisional Branch who are residing or employed in the Northern Territory.

**(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;**

As the election is required as a result of the creation of a new office, the rules do not explicitly provide for a nomination period in respect of such office. However Rule 38 of the Construction and General Division Rules relevantly provides that nominations shall be called for by the Returning Officer on or before the last day of August and shall close on the second last Friday of September i.e. a period of approximately 3 weeks.

**(f) The day provided for in the rules of the organisation as the day on which the roll of voters is to be closed;**

Rule 38(p) provides that the books of the Divisional Branches shall be deemed to have closed eight (8) days before the date on which nominations open.

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

A direct electoral system is to be employed in the election, the relevant electorate being those members of the Australian Capital Territory Divisional Branch who are residing or employed in the Northern Territory.

## Superina, Dean

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**From:** Superina, Dean  
**Sent:** Monday, 27 February 2006 2:55 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** Casual Vacancy Election - CFMEU, Construction and General Division - E2006/82

See attached PI and current rulebooks for the abovementioned election.



E2006\_82\_CFMEU\_ CFMEU Federal CFMEU Const &  
C & G\_ACT\_NT.pd... R2004-379 (3-8-0...Gen (23-12-05).d...

Dean Superina  
NSW Statutory Services Branch  
Australian Industrial Registry  
Ph: (02) 8374 6506  
Fax: (02) 9380 6990  
Email: [Dean.Superina@air.gov.au](mailto:Dean.Superina@air.gov.au)

[www.airc.gov.au](http://www.airc.gov.au)

## Superina, Dean

---

**From:** Superina, Dean  
**Sent:** Wednesday, 1 March 2006 2:22 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** Election Decision - E2006/82 - CFMEU, Construction & General Division



E2006\_82\_CFMEU\_  
C & G.pdf (48 K...

Dean Superina  
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Australian Industrial Registry  
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[www.airc.gov.au](http://www.airc.gov.au)



**Australian Government**  
**Australian Industrial Registry**

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

Electoral Commissioner Through  
Australian Electoral Officer ([industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au))

Under subsection 189 of Schedule 1B of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

**E No 2006/82**

**RE: CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION**

Positions:

See Decision

Contact: Construction, Forestry, Mining and Energy Union, Construction and General  
Division  
John Sutton  
National Secretary

Phone: (02) 8524 5800

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at [industrial.elections@air.gov.au](mailto:industrial.elections@air.gov.au)

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

for Deputy Industrial Registrar

1 March 2006



**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 & General Division  
CFMEU  
PO Box Q235  
QVB Post Office NSW 1230

Dear Mr Sutton

**Re: Arrangements for the conduct of an Election – Construction, Forestry,  
Mining and Energy Union, Construction & General Division  
(E2006/82)**

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, appearing to read 'Dean Superina', written over a horizontal line.

Dean Superina  
for Deputy Industrial Registrar

1 March 2006



PR969195

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

**Construction, Forestry, Mining and Energy Union**  
**(E2006/82)**

ROBIN GODFREY  
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 1 March 2006

DECISION

On 24 February 2006 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 an election for the following office:

ACT Divisional Branch Northern Territory delegate to Divisional Conference (1)

I am satisfied that an election for the above office 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.



GPO Box 1824  
Canberra ACT 2601

1st Floor  
Jacobs House  
8-10 Hobart Place  
Canberra City ACT 2601

Reference: ACT 06/40

**Contact:** Jeff Howarth  
Phone: (02) 6249 7908  
Facsimile: (02) 6248 7559  
E-mail: jeff.howarth@aec.gov.au

Ms Sarah Schoonwater  
ACT Divisional Branch President  
Construction, Forestry, Mining and Energy  
Union  
PO Box 498  
DICKSON ACT 2602

Dear Ms Schoonwater

**Construction, Forestry, Mining and Energy Union  
ACT Divisional Branch - Northern Territory  
E2006/82 Refers**

I refer to my letter of 10 March 2006 concerning the arrangements for me to conduct an election for the office of ACT Divisional Branch Northern Territory Delegate to Divisional Conference in your organisation and wish to advise that a ballot will not be necessary.

My declaration of the uncontested office is attached.

The election is now complete.

Yours sincerely

Jeff Howarth  
Returning Officer  
Australian Electoral Commission, Canberra

26 April 2006

cc Deputy Industrial Registrar NSW  
Candidate

**Construction, Forestry, Mining and Energy Union  
Construction and General Division  
ACT Divisional Branch**

**DECLARATION OF RESULTS FOR UNCONTESTED OFFICE**

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

E 2006/82 Refers.

**ACT Divisional Branch Northern Territory Delegate to Divisional Conference**

Candidate

GALLAGHER, Joe

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

Jeff Howarth  
Returning Officer  
Australian Electoral Commission, Canberra

26 April 2006

# **Australian Electoral Commission/AEC**

Workplace Relations Act 1996 – Schedule 1

## **RETURNING OFFICER - POST ELECTION REPORT**

**Client:** Construction, Forestry, Mining and Energy Union,  
Construction and General Division, ACT Divisional Branch.

**Contact details:** Sarah Schoonwater  
ACT Divisional Branch President  
PO Box 498  
Dickson ACT 2602.

**Email:** sarah@cfmeu.asn.au  
**Tel:** (02) 6267 1599  
**Fax:** (02) 6249 1247

**AIR contact officer:** Dean Superina

**Email:** industrial.elections@air.gov.au  
**Tel:** (02) 8374 6506

### **ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2006/82

**Election:** ACT Divisional Branch Northern Territory Delegate to Divisional Conference (1).

**Returning Officer:** Jeff Howarth

### **RULES**

**Rules used for elections Rule ID:** [105N-BWIU: Incorporates alterations of 23/12/05 in matter R2005/234]

[105N-Fed: Incorporates alterations of 3/08/04 in matter R2004/379]

**Rule/s re eligibility to vote:**

Rule 8(viA) For the purposes only of elections for the ACT Divisional Branch Offices of Delegates to Divisional Conference the electorate in respect of the Delegate to Divisional Conference provided for in this sub-rule comprises all of the members of the Division who are residing or employed in the NT & who are members of the ACT Divisional Branch.

..... An election shall be conducted by and from the members of the ACT Divisional Branch who are residing or employed in the NT for the office of "ACT Divisional Branch NT Delegate to Divisional Conference".

Rule 38(p) Rolls closed 8 days before the date on which nominations open. Only members who are shown in the records as having paid all subscriptions (etc) as at the roll closure date shall be entitled to vote.

**Rules difficult to apply/interpret:** Nil

**Model Rule reference (if any):** Nil

**Legal precedents considered:** Nil

**Action taken under section 193 of RAO Schedule:**

Nil

### **ROLL OF VOTERS**

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

### **ALLEGATIONS OF IRREGULARITIES RECEIVED**

There were no written complaints or allegations of irregularities

### **ATTACHMENTS**

**A)** Declaration of Results for Uncontested Office

Jeff Howarth  
Returning Officer

26 April 2006