

**AEC****Australian Electoral Commission**

In reply please quote N07/254
Contact Officer Kathryn Montgomery
Telephone 02 9375 6326
Facsimile 02 9212 7336
E-mail kathryn.montgomery@aec.gov.au

Level 4
Roden Cutler House
24-28 Campbell Street
SYDNEY NSW 2000
PO Box 496
HAYMARKET NSW 1239

ABN 21 133 285 851

Mr Dave Noonan
National Secretary
Construction, Forestry, Mining and
Energy Union
Construction and General Division
PO Box Q235
QVB PO
SYDNEY NSW 1230

Post Election Report For: **Construction, Forestry, Mining and Energy Union**
Construction and General Division

Election No E2007/256

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Workplace Relations Act 1996 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Workplace Relations (RAO) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Yours sincerely

Kathryn Montgomery
Returning Officer
4 December 2007.



Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT

Construction, Forestry, Mining and Energy Union Construction and General Division

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2007/256

RULES

Rules used for the election: 105N-BWIU :Incorporates alterations
of 25/09/2007 in matter R2007/313

Rules difficult to apply/interpret: Nil
Model Rule reference (if any): Nil

ROLL OF VOTERS

As there were no contested offices, no Roll of Voters was required.

IRREGULARITIES

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

ATTACHMENTS

- 1) Declaration of Results for Uncontested Offices – NSW Divisional Branch
- 2) Declaration of Results for Uncontested Offices – Western Australia Divisional Branch
- 3) Declaration of Results for Uncontested Offices – Victorian Divisional Branch
- 4) Declaration of Results for Uncontested Offices – Queensland Divisional Branch

Kathryn Montgomery
Returning Officer
4 December 2007.

**Construction, Forestry, Mining and Energy Union
C&G NSW Branch Divisional Executive Member**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2007/E256

Construction & General Division Divisional Conference

Divisional Executive Member

Candidate

SUTTON, John

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

Kathryn Montgomery
Returning Officer

23 November 2007

**Construction, Forestry, Mining and Energy Union
Construction and General Division**

**QUEENSLAND CONSTRUCTION WORKERS DIVISIONAL BRANCH ELECTION
DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

Election E2007/ 256, conducted in accordance with Schedule 1 of the Workplace Relations Act 1996 and in accordance with the Rules of the Union.

Nominations for the above election closed at 4:00 pm on Monday 26 November 2007.
I now advise the following results.

Divisional Branch Divisional Conference Delegates

Divisional Executive Member (1)

Candidates:

O'NEILL, Wayne John

As the number of nominations accepted did not exceed the number of positions to be filled,
I declare Wayne John O'Neill elected as Divisional Executive Member.

The election is now complete.

Brendan Carroll
Returning Officer
30 November 2007

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

CONSTRUCTION AND GENERAL DIVISION

VICTORIAN DIVISIONAL BRANCH

DECLARATION OF RESULT

Result 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.

E2007/256

DIVISIONAL EXECUTIVE MEMBER

Candidate

WASHINGTON, Noel

I declare Noel Washington elected.

Michael Pryor
Returning Officer
16 November 2007

GPO Box A16
PERTH WA 6001

Level 3, 111 St Georges Terrace
PERTH WA 6000

Reference: W07/84

Contact: Van Panegyres
Phone: (08) 6363 8011
Facsimile: (08) 6363 8052
E-mail: van.panegyres@aec.gov.au

ABN: 21 133 285 851

**Construction, Forestry, Mining and Energy Union
The Construction and General Division Western Australia
Divisional Branch Election E2007/256**

DECLARATION OF RESULT FOR UNCONTESTED OFFICE

Result 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.

E2007/256

Western Australian Branch

Divisional Vice President

Candidate

McPARLAND, Kevin

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

E.M. Panegyres
Returning Officer

19 November 2007

Construction, Forestry, Mining and Energy Union Construction and General Division

QUEENSLAND CONSTRUCTION WORKERS DIVISIONAL BRANCH ELECTION DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Election E2007/ 256, conducted in accordance with Schedule 1 of the Workplace Relations Act 1996 and in accordance with the Rules of the Union.

Nominations for the above election closed at 4:00 pm on Monday 26 November 2007.
I now advise the following results.

Divisional Branch Divisional Conference Delegates

Divisional Executive Member (1)

Candidates:

O'NEILL, Wayne John

As the number of nominations accepted did not exceed the number of positions to be filled,
I declare Wayne John O'Neill elected as Divisional Executive Member.

The election is now complete.

Brendan Carroll
Returning Officer
30 November 2007

W07/84

Mr Dave Noonan
National Secretary
The Construction and General Division
Construction, Forestry, Mining and Energy Union
PO Box Q235 , Queen Victoria Building Post Office
SYDNEY NSW 1230

email: dnoonan@fed.cfmeu.asn.au
cfmeu@cfmeuwa.com

Post Election Report For:

**Construction, Forestry, Mining and Energy Union,
Western Australia Construction and General Divisional Branch
Scheduled Election-E2007/256-Election of Divisional Vice-President**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Workplace Relations Act 1996 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Workplace Relations (RAO) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

E.M Panegyres
Returning Officer

Industrial & Commercial Elections-WA State Office
Level 3, 111 St Georges Terrace PERTH WA 6000
PO Box A16, PERTH WA 6001
Tel: (08) 6363 8011 Fax: (08) 6363 8052

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT

**Construction, Forestry, Mining and Energy Union,
Western Australia Construction and General Divisional Branch
Scheduled Election - Election of Divisional Vice-President**

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2007/256

RULES

Rules used for the election: [105N-BWIU: Incorporates alterations of 25/09/2007 in matter R2007/313]
[105N-FED: incorporates alterations of 12/9/07 in matter D2007/108]

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

ROLL OF VOTERS

As the vacancy was not contested, a Roll of Voters was not required.

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: None
Other irregularities identified, and action taken: N/A

ATTACHMENTS

Declaration of Result for Uncontested Office.

E M Panegyres
Returning Officer

26 November 2007

GPO Box A16
PERTH WA 6001

Level 3, 111 St Georges Terrace
PERTH WA 6000

Reference: W07/84

Contact: Van Panegyres
Phone: (08) 6363 8011
Facsimile: (08) 6363 8052
E-mail: van.panegyres@aec.gov.au

ABN: 21 133 285 851

**Construction, Forestry, Mining and Energy Union
The Construction and General Division Western Australia
Divisional Branch Election E2007/256**

DECLARATION OF RESULT FOR UNCONTESTED OFFICE

Result 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.

E2007/256

Western Australian Branch

Divisional Vice President

Candidate

McPARLAND, Kevin

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

E.M. Panegyres
Returning Officer

19 November 2007

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

CONSTRUCTION AND GENERAL DIVISION

VICTORIAN DIVISIONAL BRANCH

DECLARATION OF RESULT

Result 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.

E2007/256

DIVISIONAL EXECUTIVE MEMBER

Candidate

WASHINGTON, Noel

I declare Noel Washington elected.

Michael Pryor
Returning Officer
16 November 2007

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

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

E No 2007/256

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

Positions:

See Decision

Relevant Information: newly created positions, collegiate voting system, secret ballot

Contact: Dave Noonan
Assistant National Secretary

Phone: (02) 8524 5801

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



Steve Teece
for Deputy Industrial Registrar

15 October 2007



Australian Government

Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 8380 6990
Email: sydney@air.gov.au

Mr Dave Noonan
National Secretary,
Construction, Forestry, Mining and Energy Union
Construction and General Division
Level 12, 276 Pitt Street
SYDNEY NSW 2000

Dear Mr Noonan

**Re: Arrangements for the conduct of an Election
(E2007/256)**

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 1 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 'Steve Teece', written over a white background.

Steve Teece
for Deputy Industrial Registrar
15 October 2006

Workplace Relations Act 1996
s.189 RAO Schedule - arrangement for conduct of an election

Construction, Forestry, Mining and Energy Union
(E2007/256)

B. R. JENKINS
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 15 OCTOBER 2007

DECISION

[1] On 28 September 2007 the Construction, Forestry, Mining and Energy Union lodged in the Industrial Registry the prescribed information in relation to an election for the following offices in the Construction and General Division:

New South Wales Divisional Branch

Divisional Executive Member (1)

Queensland Construction Workers Divisional Branch

Divisional Executive Member (1)

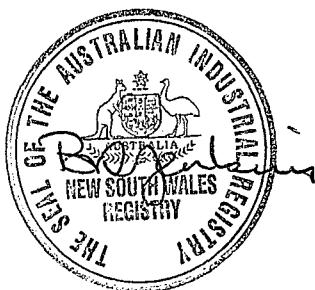
Victorian Divisional Branch

Divisional Executive Member (1)

Western Australian Divisional Branch

Divisional Vice-President (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 Schedule 1 of the *Workplace Relations Act 1996*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



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TEECE, Steve

From: TEECE, Steve
Sent: Tuesday, 2 October 2007 12:43 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2007/256 CFMEU Construction and General Division Election

Attachments: CFMEU C&G E2007_256 PI.pdf; CFMEU Construction & General RULES R2007 313 25.09.2007.doc

E2007/256 CFMEU Construction and General Division Election

Prescribed Information and Current Rulebook:



CFMEU C&G

E2007_256 PI.pdf (15struction & General

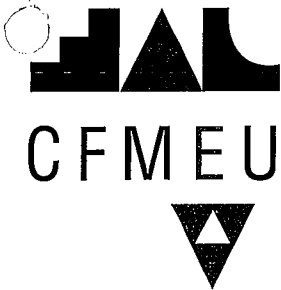


CFMEU

Steve Teece

Research Information Advice Team
NSW Registry
Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990
steve.teece@air.gov.au



27 September 2007

CONSTRUCTION

FORESTRY

MINING

ENERGY

UNION

Deputy Industrial Registrar
Australian Industrial Registry
Level 8, 80 William Street
East Sydney NSW 2011

Attention: Mr B Jenkins

Dear Sir

**Re: Regulation 138 Workplace Relations (Registration and
Accountability of Organisations) Regulations**

Please find herewith prescribed information in respect of an election.

If you have any questions, please contact this office.

Yours faithfully

Dave Noonan
National Secretary
CFMEU
Construction & General Division



CONSTRUCTION &
GENERAL DIVISION
ABN 46 243 168 565

DAVE NOONAN
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

EMAIL:

queries@fed.cfmeu.asn.au



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 Vice-President (Western Australian Divisional Branch) of the CFMEU Construction and General Division.
- (ii) One (1) – Divisional Executive Member (NSW Divisional Branch) of the CFMEU Construction and General Division.
- (iii) One (1) – Divisional Executive Member (Queensland Construction Workers Divisional Branch) of the CFMEU Construction and General Division.
- (iv) One (1) – Divisional Executive Member (Victorian Divisional Branch) of the CFMEU Construction and General Division.

(b) The reason for the election;

New offices have been created – see Divisional rule 9(1) certified 25 September, 2007 R No. 2007/313.

- (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;

- (i) The officer of Divisional Vice-President (Western Australian Divisional Branch) of the CFMEU Construction and General Division is elected by and from all Divisional Conference delegates from the Western Australian Divisional Branch.
- (ii) The officer of Divisional Executive Member (NSW Divisional Branch) of the CFMEU Construction and General Division is elected by and from all Divisional Conference delegates from the New South Wales Divisional Branch.
- (iii) The officer of Divisional Executive Member (Queensland Construction Workers Divisional Branch) of the CFMEU Construction and General Division is elected by and from all Divisional Conference delegates from the Queensland Construction Workers Divisional Branch.
- (iv) The officer of Divisional Executive Member (Victorian Divisional Branch) of the CFMEU Construction and General Division is elected by and from all Divisional Conference delegates from the Victorian Divisional Branch.

In the case of (ii) to (iv) above only persons who are eligible for membership of the union under Rule 2(E) of the National Rules of the CFMEU shall be eligible for nomination and election to the three positions

- (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 9 (5.) of the Construction and General Division Rules 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 Divisional 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.

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

In the case of Divisional Branch elections 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;**

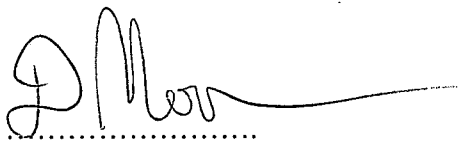
A collegiate electoral system is to be employed in the election, the relevant electorate being those directly elected Divisional Conference delegates of the respective Divisional Branches set out in (d) above.

WORKPLACE RELATIONS
(REGISTRATION AND ACCOUNTABILITY OF ORGANISATIONS)
REGULATIONS

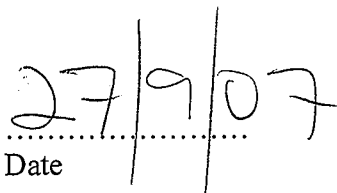
Statement Pursuant to Regulation 138

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

I, David Noonan, 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 (1) to the *Workplace Relations Act 1996*.



.....
Signed



.....
Date