

TEECE, Steve

From: industrial.elections@air.gov.au
Sent: Friday, 24 April 2009 1:09 PM
To: TEECE, Steve
Subject: FW: Post Election Report for CFMEU Election E2009/130 [SEC=UNCLASSIFIED]
Attachments: Post Election Report CFMEU E2009-130.doc; Uncontested Declaration for CFMEU E2009-130.rtf

From: Simon Bulloch [mailto:Simon.Bulloch@aec.gov.au]
Sent: Friday, 24 April 2009 11:46 AM
To: industrial.elections@air.gov.au
Cc: Industrial Elections
Subject: Post Election Report for CFMEU Election E2009/130 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good Moring,

Please find attached the post election report and uncontested declaration for the CFMEU Election E2009/130

Simon Bulloch | Manager Election Services

State Office | Western Australia

Australian Electoral Commission

T: 08 6363 8011 | M: 0413 006 210 | F: 08 6363 8052



UNCLASSIFIED

DISCLAIMER:

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28/04/2009



Our Ref: W09/130

Mr Kevin Reynolds
Branch Secretary
Construction, Forestry, Mining and Energy Union
82 Royal Street
EAST PERTH WA 6004

Dear Mr Reynolds,

Re Post Election Report Construction, Forestry, Mining and Energy Union, Divisional Branch Delegate to Divisional Conference (Northern Territory) Election E2009/130

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.

Simon Bulloch
Returning Officer
24 April 2009

CC: David Noonan
National Secretary

**Workplace Relations Act 1996 – Schedule 1
POST ELECTION REPORT**

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2009/130

RULES

Rules used for the election: 105N-BWIU: Incorporates alterations of 19/01/2009 in matter R2008/462

Rules difficult to apply/interpret:

Model Rule reference (if any):

ROLL OF VOTERS

Total number of voters on the Roll:	152
Number of apparent workplace addresses:	0
Number of non-current addresses:	0
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

ATTACHMENTS

Declaration of Results for Uncontested / Contested Offices

Simon Bulloch
Returning Officer
24 April 2009

**Construction, Forestry, Mining and Energy Union
Divisional Branch Delegate to Divisional Conference
(Northern Territory)**

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.

Construction and General Division

Western Australian Branch Divisional Branch Delegate to Divisional Conference (Northern Territory)

Candidate

WADE, Robert

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

Simon Bulloch
Returning Officer
23 April 2009



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9360 6990
Email: sydney@air.gov.au

Mr David Noonan
National Secretary
Construction & General Division
CFMEU
PO BOX Q235
QUEEN VICTORIA BUILDING POST OFFICE
SYDNEY NSW 1230

Dear Mr Noonan

**Re: Arrangements for the conduct of an Election
(E2009/130)**

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 cursive script that reads 'David Vale'.

David Vale
for Deputy Industrial Registrar

13 March 2009

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

Construction, Forestry, Mining and Energy Union
(E2009/130)

B. R. JENKINS
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY 13 MARCH 2009

DECISION

[1] On 12 March 2009 the Construction and General Division of the Construction, Forestry, Mining and Energy Union lodged in the Industrial Registry the prescribed information in relation to an election for the following office:

Western Australia Divisional Branch

Divisional Branch Delegate to Divisional Conference (Northern Territory) (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 Schedule 1 of the *Workplace Relations Act 1996*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



VALE, David

From: VALE, David
Sent: Friday, 13 March 2009 12:31 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/130
Attachments: CFMEU E2009_130 decision sent to AEC_130309.pdf

Dear AEC,

Please find attached a copy of the Decision for the upcoming election for the Construction & General Division of the CFMEU - E2009/130.

Yours sincerely,

David Vale
Manager, Registered Organisations
New South Wales Registry

Australian Industrial Relations Commission
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@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)

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 2009/130

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

Positions:

See Decision

Contact: David Noonan
National Secretary (Construction & General Division)

Phone: 02 8524 5800

A copy of my 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

A handwritten signature in cursive script that reads 'David Vale'.

David Vale
for Deputy Industrial Registrar

13 March 2009

VALE, David

From: VALE, David
Sent: Thursday, 12 March 2009 12:31 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/130
Attachments: CFMEU E2009_130 C&G application 120309.pdf; CFMEU Const & Gen R2008 462 190109.doc; CFMEU Federal 105N R2008_316_290808.doc

Dear AEC,

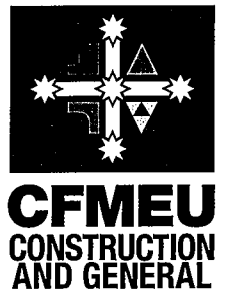
Please find attached lodgement of prescribed information and copies of the current rule books of both the Federal and the Construction & General Division of the CFMEU for an upcoming election.

Yours sincerely

David Vale
Manager, Registered Organisations
New South Wales Registry

Australian Industrial Relations Commission
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@airc.gov.au



11 March 2009

Industrial Registrar
Australian Industrial Registry
80 William Street
East Sydney NSW 2011

Attention: Mr B Jenkins

Dear Sir

**Re: CFMEU Construction and General Division
Divisional Conference Delegate**

We refer to the recent election for Divisional Branch positions within the Construction and General Division of the CFMEU. We note that the position of Divisional Branch Delegate to Divisional Conference (Northern Territory) was not filled at that election.

In order to attempt to fill that position and to ensure representation for Northern Territory members at the forthcoming Divisional Conference, we hereby provide the following prescribed information in relation to that position and request that the Registry take the necessary steps for an election to occur.

Prescribed Information

- 1 Name of office in respect of which Election is required.

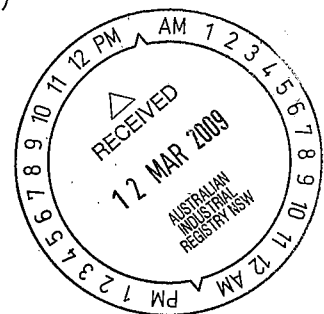
Divisional Branch Delegate to Divisional Conference
(Northern Territory)

(1)

- 2 Reason for Election
Vacancy in the office.

- 3 Number of Offices with Same Name
Not applicable.

- 4 Electorate

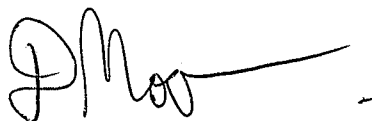


The office of Divisional Branch Delegate to Divisional Conference (Northern Territory) is elected by and from members residing or employed in the Northern Territory in accordance with Rule 8 (viA).

- 5 Nomination Period
To be determined. The rules generally provide for a three week nomination period.
- 6 Closure of Voting Roll
The rules provide that the roll of voters shall be deemed to have closed 8 days before the date on which nominations open.
- 7 Voting System
A direct voting system is to be employed in the conduct of the election.

Should you have any questions in relation to this matter, please contact Tom Roberts at this office.

Yours faithfully



Dave Noonan
National Secretary
CFMEU
Construction & General