



10 July 2018

Mr David Noonan
C & G Divisional Secretary
Construction, Forestry, Maritime, Mining and Energy Union-Construction and General Division
queries@fed.cfmeu.asn.au

Dear Mr Noonan,

cc: nationalqueries@cfmeu.org

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 for Construction & General Division [E2018/94]. 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-Construction and General 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.

Regards

Christine Hibberd
Registered Organisations Commission

27 June 2018

Post-election Report

**Construction, Forestry, Mining and Energy
Union E 2018/94**

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Election(s) Covered in this Report

Election Decision No/s: E2018/94

Rules

Rules used for the election:	[105N-BWIU: Incorporates alternations of 16 February R2017/58]
Rules difficult to apply/interpret:	None
Model Rule reference (if any)	N/A

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: *Nil*

Other irregularities identified, and action taken: Nil

Other Matters

Insert here details of other matters it will be useful to bring to the attention of the organisation – this may include matters such as rules that, although not meeting the definition of difficult to apply or interpret, might be better if they were modernised or clarified or covered matters which the RO had to use their “fill the gap” power to apply.

Nil

Attachments

- 1) Declaration of results for Uncontested Offices – Construction & General Division

Neil Kean
Returning Officer

2/7/2018

Construction, Forestry, Maritime, Mining and Energy Union
DECLARATION OF RESULTS - E2018/94
Uncontested Offices

Casual Vacancy Election

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:

Construction & General Division

Divisional President (1)

Candidates

INGHAM, Jade

Trustee (2)

Candidates

O'MARA, Jason

GREENFIELD, Darren

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



Neil Kean
Returning Officer
Australian Electoral Commission
2 July 2018

[2018] ROCD 96

The attached document replaces the document previously issued with the above code on 25 May 2018.

The document has been amended to change 'National President' to 'Divisional President'.

Sam Gallichio
Adviser
Registered Organisations Commission

4 June 2018



DECISION

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

Construction, Forestry, Maritime, Mining and Energy Union (E2018/94)

MR ENRIGHT

MELBOURNE, 25 MAY 2018

Arrangement for conduct of election.

[1] On 9 April 2018 the Construction and General Division of the Construction, Forestry, Maritime, Mining and Energy Union lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following offices for the remainder of the term:

Divisiona, 92011 President
Divisional Trustee (2)

[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

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PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, David Noonan, being the National Secretary of the Construction & General Division of the Construction, Forestry, Maritime, Mining and Energy Union, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the National Office of the Construction & General Division of the Construction, Forestry, Maritime, Mining and Energy Union.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. The resignation letter is attached for each casual vacancy.
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed:



Dated: 9 April, 2018

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Elections that are required *[insert as many pages as required]*:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
<i>National</i>	<i>President</i>	<i>1</i>	<i>Collegiate</i>	<i>Casual vacancy (the resignation is attached)</i>	<i>Divisional Conference Delegates (rule 9(2),(6) Construction and General Divisional Rules)</i>
<i>National</i>	<i>Divisional Trustee</i>	<i>2</i>	<i>Collegiate</i>	<i>Casual vacancies (the resignations are attached)</i>	<i>Divisional Conference Delegates (rule 9(2),(6) Construction and General Divisional Rules)</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>To be determined by the returning officer</i>	<i>To be determined by the returning officer</i>
Nominations CLOSE	<i>To be determined by the returning officer</i>	<i>To be determined by the returning officer</i>
Roll of Voters cut off date	<i>N/A</i>	<i>N/A</i>

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as *'to be determined by the returning officer'*. Casual vacancies must be accompanied by proof of resignation and attached to this statement.