



12 July 2017

Mr Geoff Dyke  
Victorian District Secretary; Loy Yang 'B' Power Station Lodge President  
Construction, Forestry, Mining and Energy Union-Mining and Energy Division - Victorian District  
Branch  
gd14cfmeu@tpg.com.au

Dear Mr Dyke,

cc: Mr Andrew Vickers, CFMEU National Vice President & General Secretary (M & E Division)  
Construction, Forestry, Mining and Energy Union-Mining and Energy Division,  
avickers@cfmeu.com.au

### **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 Victorian District Branch [E2017/113]. 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 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, Mining and Energy Union-Mining and Energy Division - Victorian District Branch 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**

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

*[delete all that do not apply]*

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  1. *[include OLD name and address and NEW name and address of every branch that has changed]*
  2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:<sup>3</sup>
  - COMMENCED operation:
    1. [include name of each new branch]
    2. ...
  - CEASED operation:
    1. [include name of each closed branch]

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A**

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

*Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

17 March 2017

# Post-election Report

**Construction, Forestry, Mining and Energy Union Forestry,  
Mining and Energy Division – E2017/113**

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## Election(s) Covered in this Report

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E2017/113

## Rules

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Rules used for the election: [105N-MIN: Incorporates alterations 05/01/2017 in matter R2016/329]

Rules difficult to apply/interpret: Nil

Module Rule reference (N/A)

## Roll of Voters

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

## Irregularities

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

Other irregularities identified, and action taken: Nil





## Other Matters

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## Attachments

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- 5) Declaration of Results for Uncontested Offices – VIC

A handwritten signature in black ink that reads "Jeff Webb". The signature is written in a cursive, flowing style.

Jeff Webb  
Returning Officer

5 July 2017

# Construction, Forestry, Mining and Energy Union Victorian District Branch of the Mining and Energy Division - E2017/113

## Declaration of Results for Uncontested Offices

Below are 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.

### Hazelwood Lodge President (Mining)

#### Candidates

BALDWIN, Jason

### Loy Yang "A" Power Station Lodge President

#### Candidates

CAINES, Stuart

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



Jeff Webb  
Returning Officer

4 July 2017



## DECISION

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

### **Construction, Forestry, Mining and Energy Union** (E2017/113)

MR ENRIGHT

MELBOURNE, 9 MAY 2017

*Arrangement for conduct of election.*

[1] On 24 April 2017 the Victorian District Branch (‘the Branch’) of the Mining and Energy Division of the Construction, Forestry, Mining and Energy Union lodged with the Fair Work Commission prescribed information in relation to an election to fill casual vacancies in the following offices:

Hazelwood Lodge President (Mining) (1)

Loy Yang ‘A’ Power Station Lodge President (1)

[2] I am satisfied that an election for the above-named 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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<Price code A, PR350533>

**From:** KELLETT, Stephen  
**Sent:** Tuesday, 9 May 2017 1:00 PM  
**To:** 'gd14cfmeu@tpg.com.au'  
**Subject:** Election - Vic District Branch - casual vacancy - E2017/113 - granted [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Dear Mr Dyke,

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

**STEPHEN KELLETT**  
Financial Reporting  
Tel: (02) 6746 3283  
Email: [stephen.kellett@roc.gov.au](mailto:stephen.kellett@roc.gov.au)

The Registered Organisations Commission  
Level 13, 175 Liverpool Street, Sydney NSW 2000  
[www.roc.gov.au](http://www.roc.gov.au)



**Australian Government**

**Registered Organisations Commission**



E2017 113  
Decision.pdf

**From:** KELLETT, Stephen  
**Sent:** Tuesday, 9 May 2017 12:59 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** Election - CFMEU, Vic District Branch - E2017/113 - granted [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Dear Electoral Officer,

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

**STEPHEN KELLETT**  
Financial Reporting  
Tel: (02) 6746 3283  
Email: [stephen.kellett@roc.gov.au](mailto:stephen.kellett@roc.gov.au)

The Registered Organisations Commission  
Level 13, 175 Liverpool Street, Sydney NSW 2000  
[www.roc.gov.au](http://www.roc.gov.au)



**Australian Government**

**Registered Organisations Commission**



E2017 113  
Decision.pdf

**From:** KELLETT, Stephen  
**Sent:** Wednesday, 26 April 2017 4:44 PM  
**To:** 'Industrial Elections'  
**Subject:** FW: Request for election - casual vacancies - CFMEU - Victorian District Branch (M&E Division) - E2017/113

Dear Electoral Officer,

Please see attached a statement of prescribed information in relation to the above.

Yours faithfully

**STEPHEN KELLETT**  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283  
(mob.) 0429 462 979  
(email) [stephen.kellett@fwc.gov](mailto:stephen.kellett@fwc.gov)

**From:** Geoff Dyke [<mailto:gd14cfmeu@tpg.com.au>]  
**Sent:** Monday, 24 April 2017 9:43 AM  
**To:** KELLETT, Stephen; Orgs  
**Cc:** Peter Waanders; Trevor Williams  
**Subject:** RE: Request for election - casual vacancies

Dear Stephen,

Please find attached the prescribed declaration requesting that the AEC conduct an election for two Lodge President casual vacancies.

Also attached are copies of the three Lodge President resignations with the dates received.

Regards,

Geoff

Geoff Dyke  
Secretary  
Victorian District Branch  
Mining & Energy Division  
CFMEU

Phone: 03-5134 3311  
Mobile: 0409 090 659  
Email: [gd14cfmeu@tpg.com.au](mailto:gd14cfmeu@tpg.com.au)



Request to FWC for  
Lodge President Elect

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Secretary  
Victorian District Branch  
Mining & Energy Division  
CFMEU

Phone: 03-5134 3311  
Mobile: 0409 090 659  
Email: [gd14cfmeu@tpg.com.au](mailto:gd14cfmeu@tpg.com.au)



Re Engie and Union  
Consultation Meeting.



Lodge President  
Resignation.msg



Stu Finlayson Stawell  
Lodge President Resig



Request to FWC for  
Lodge President Elect



**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, Geoffrey Wayne Dyke, being the Secretary of the Construction, Forestry, Mining & Energy Union – Mining & Energy Division – Victorian District Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Construction, Forestry, Mining & Energy Union – Mining & Energy Division – Victorian District Branch.
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.

Signed:



Dated:

24/4/17

*[PLEASE NOTE: This statement should be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).]*

## ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
<i>Victorian District Branch</i>	<i>Loy Yang A Power Station Lodge President</i>	<i>1</i>	<i>DVS</i>	<i>Casual vacancy (the resignation is attached)</i>	<i>All members of the Loy Yang A Power Station Lodge</i>
<i>Victorian District Branch</i>	<i>Hazelwood Lodge President (Mining)</i>	<i>1</i>	<i>DVS</i>	<i>Casual vacancy (the resignation is attached)</i>	<i>All members of the Hazelwood Mine Lodge</i>

- Elections that are ***not*** required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
<i>Victorian District Branch</i>	<i>Stawell Gold Mine Lodge President</i>	<i>0</i>		<i>Casual vacancy (the resignation is attached)</i>	<i>Stawell Gold Mine Lodge is currently in recess upon the temporary closure of the Stawell Gold Mine.</i>

- Important dates:

	Direct Voting System
<b>Nominations OPEN</b>	<i>'to be determined by the returning officer'</i>
<b>Nominations CLOSE</b>	<i>'to be determined by the returning officer'</i>
<b>Roll of Voters cut-off date</b>	<i>'to be determined by the returning officer'</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.