



6 December 2017

Branch Secretary
CPSU, the Community and Public Sector Union-SPSF Group, New South Wales Branch
psa@psa.asn.au

Dear Branch Secretary,

cc: kbatt@cpsuvic.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 New South Wales Branch [E2017/157]. 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 CPSU, the Community and Public Sector Union-SPSF Group, New South Wales 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].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 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]:³
 - COMMENCED operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ 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.]*

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.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<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>						

Post-Election Report

CPSU, the Community and Public Sector
Union

E2017/157



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Election(s) Covered in this Report

Election Decision No/s: E2017/157

Rules

Rules used for the election: [090V: Incorporates alternations of 23/12/2015 (R2015/253)]

Rules difficult to apply/interpret: None
Module Rule reference (if any) N/A

Roll of Voters

No contested offices

Total number of voters on the Roll:
Number of apparent workplace addresses:

Number of non-current addresses:

Other matters pertaining to the roll of voters:

Irregularities

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

Other irregularities identified, and action taken:

Other Matters

Attachments

- 1) Declaration of results for Uncontested Offices (3)



Rhys Richards
Returning Officer

4 December 2017

**CPSU, the Community and Public Sector Union
SPSF Group
NSW Branch**

Declaration of Results for Uncontested Offices

E2017/157

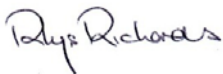
Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

Branch Federal Vice-President

Candidates

CALDER-LITTLE, Stewart Lachlan

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



Rhys Richards
Returning Officer

10 November 2017

**CPSU, the Community and Public Sector Union
SPSF Group
NSW Branch**

Declaration of Results for Uncontested Offices

E2017/157

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.

Branch Delegate to Federal Council (3)

Candidates

CALDER-LITTLE, Stewart
WALTERS, Jeffrey
WRIGHT, Troy

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



Rhys Richards
Returning Officer
11 October 2017

CPSU, the Community and Public Sector Union
SPSF Group
Vacancy Election

Declaration of Results for Uncontested Offices

E2017/157

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.

NSW Branch

Branch Secretary

Candidates

CALDER-LITTLE, Stewart

NSW Branch - not allocated to Sub - Branch No 1

Branch Assistant Secretary

Candidates

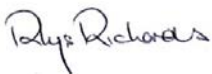
WRIGHT, Troy

Delegate to Branch Council

Candidates

NOGUES, Anabel Morales

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



Rhys Richards
Returning Officer

4 September 2017



DECISION

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

CPSU, the Community and Public Sector Union
(E2017/157)

MR ENRIGHT

MELBOURNE, 14 JULY 2017

Arrangement for conduct of election.

[1] On 20 June 2017 the CPSU, the Community and Public Sector Union, SPSF Group, New South Wales Branch lodged with the Registered Organisations Commission prescribed information for an election. A replacement prescribed information was received from the National Office on 5 July 2017. Further correspondence was received on 11 and 12 July 2017.

[2] The prescribed information was to fill casual vacancies in the following offices of the New South Wales Branch for the remainder of the term:

Branch Secretary

Branch Assistant Secretary

elected by members not allocated to NSW Sub-Branch No. 1

Delegate to Branch Council

elected by members not allocated to NSW Sub-Branch No. 1

Delegate to Federal Council (3)

elected by branch council members not allocated to NSW Sub-Branch No. 1

Branch Federal Vice President

[3] 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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From: Mark Perica <mark@spsf.asn.au>
Sent: Tuesday, 11 July 2017 4:41 PM
To: Mark Perica; ROC - Registered Org Commission; BEBBINGTON,Catherine
Cc: Karen Batt (VIC)
Subject: RE: E 2017/157:clarification of the Prescribed information from our NSW Branch under s189 for the ROC to initiate an election with the AEC

Dear Commissioner,

ATTENTION: CATHERINE BEBBINGTON

I refer to my conversation with Catherine Bebbington, the Senior Advisor within your reporting and education team, today. I understand you require clarification of the information contained in the amended prescribed information from our NSW Branch sent under cover of the e-mail below on 5 July 2017.

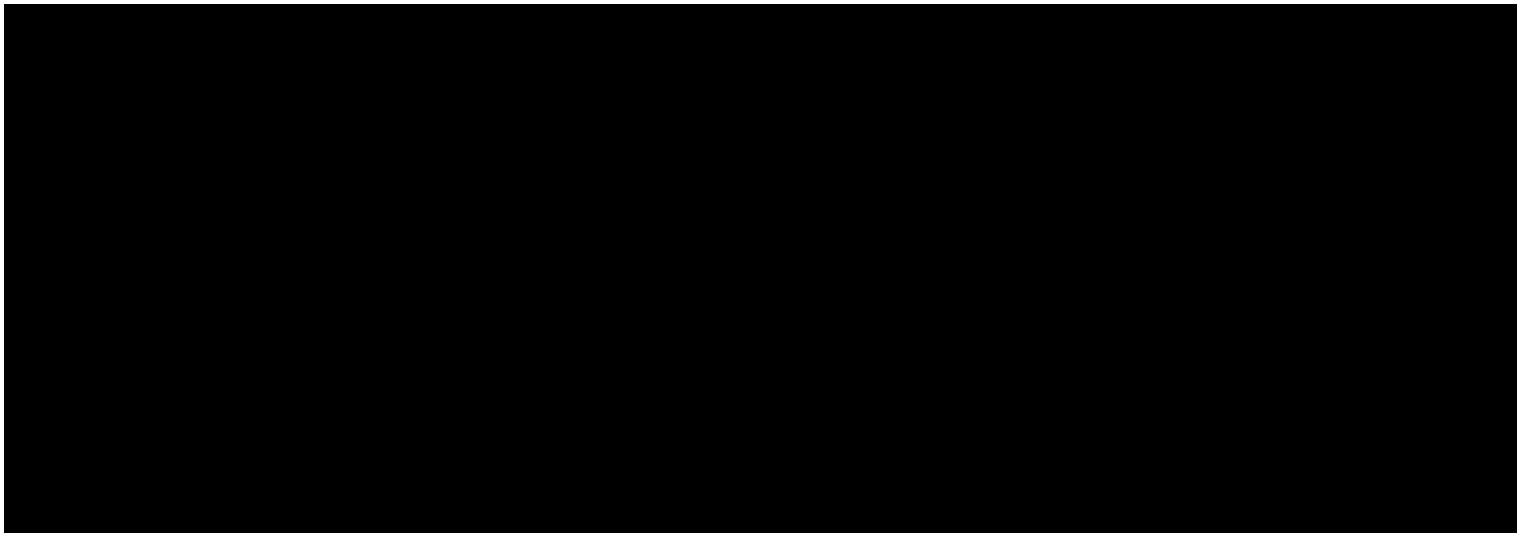
I confirm the electorates for the positions of Branch assistant secretary and Federal Council are respectively: all financial members of the Branch and; the Branch Councillors . I neglected to inform you that both those classes of electors **exclude electors within the sub branch within NSW.**

For your information the sub branch presently has no officers and no members as they have all either resigned or retired. We are hoping to amend the Chapter C and Branch rules to remove references to the sub branch in the very near future.

Please let me know if you require further clarification on these matters. I would like to thank Ms Bebbington for your assistance.

Yours Sincerely

Mark Perica
Senior Legal Officer
CPSU

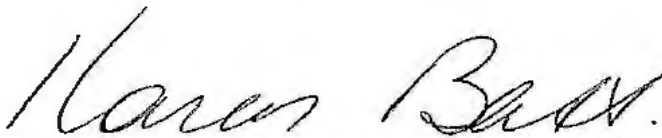


PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Karen Batt, the Joint National Secretary of the Community and Public Sector Union make the following statement:

1. I am the Joint National Secretary of the Community and Public Sector Union.. I am authorised to sign this statement containing prescribed information for the NSW Branch elections for offices which are presently vacant through resignations.
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. Casual vacancies have occurred in some of the offices in the NSW Branch. Anne Gardiner resigned from the offices of Branch Secretary of the New South Wales Branch and Federal Council delegate on 16 March 2017. Steve Turner resigned from the office of Assistant Branch Secretary of the New South Wales Branch, the office of Federal Vice President and as a Federal Council Delegate on 30 April 2017. Michelle Bogatyrov resigned from her office as Branch Councillor and Federal Council Delegate on 29 April 2017. An election is required for the unexpired term of those offices. The correspondence which affected each of those resignations is attached as **MC 1**
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

NOTE: this is civil penalty provision and a failure to lodge on time can lead to penalties under the RO Act. Extensions of time should be requested at least 2 months before nominations open.



Signed: Karen Batt, Joint National Secretary, CPSU

Dated: 5 July 2017

[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:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
NSW	Branch Secretary	1	Direct Voting System	Casual Vacancy (resignation attached)	All financial members of the Branch [Chapter C Rule 25.1(b)]
	Branch Assistant Secretary	1	Direct Voting System	Casual vacancy (the resignation is attached)	All financial members of the Branch [Chapter C Rule 25.1(b)]
	Branch Councillor	1	Direct Voting System	Casual Vacancy (the resignation is attached)	All financial members of the Branch [Chapter C Rule 25.1(b)]
NSW/Group	NSW Federal Council Delegates	3	Collegiate	Casual Vacancy	All financial members of the NSW Branch Council [Chapter C Rule 37.1(b)]
NSW/Group	Federal Vice President	1	Collegiate	Casual Vacancy	All NSW Federal Council delegates [Chapter C Rule 37.1(b)]

s:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the returning officer	14 days prior to the Branch Council meeting [Chapter C Rule 32]
Nominations CLOSE	At least 14 days after nominations open [Chapter C Rule 19.1]	To be determined by the returning officer
Roll of Voters cut off date	No earlier than 30 days and no later than 7 days before the date on which the date on which nominations for the election open [Chapter C Rule 25.1(c)]	The election must be conducted at the first meeting of the Branch Council [Chapter C Rule 37]

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.