

Notification to Members

**Subject: Civil Contractors Federation
Australian Electoral Commission Post-Election Report (E2019/101)**

The Australian Electoral Commission has provided the Civil Contractors Federation with a Post-Election Report, Ref/: E2019/101 (“the Report”).

The post-election report identified the following Rules within the Civil Contractors Federation Constitution as being difficult to apply/interpret:

- Rules 21 (m) and 21 (n) as difficult to interpret/apply,
- Rules 25 (c) and 25 (l) as other matters requiring attention.

A full copy of the AEC post-election report is available from the Civil Contractors Federation secretariat, and the Australian Electoral Commission i.e. [Australian Electoral Commission Post-Election Report \(E2019/101\)](#), upon request.

In accordance with Fair Work (*Registered Organisations*) Act 2009 and the regulations, the Civil Contractors Federation has provided a written response to the AEC indicating how it intends to address the concerns raised in the post-election report. The relevant extracts from the AEC report are provided as follows together with the CCF’s response as attached to this notice for the information of members.

Relevant Extract from the AEC Post Election Report - Rules difficult to apply/interpret:

“Rules 21 (m) The result of the ballot must be declared during the Annual General Meeting in an election year by the Returning Officer; and 21 (n) Each person elected to the Board will take up that office immediately their appointment has been declared by the Returning Officer.

As the Returning Office needs to notify all National Board members of the upcoming Election of National Office bearers to be held at the Annual General Meeting, the rule should be changed for the Returning Officer to be able to be declare the result before the Annual General Meeting, and the National Board members can take up office either at the Annual General Meeting or when declared.

Rule 25 (c) The election shall be conducted by a Returning Officer appointed by the AEC. The rule should also mention that the Returning Officer notify (by Notice) National Board members of the Election of the National Officers Bearers at the Annual General Meeting.

Rule 25 (l) (iv) In the case of a tie between candidates for election, the Returning Officer must draw lots. The rule should include from the drawing of the lots who is the successful candidate. (AEC Post Election Report E2019/101).

Chris Melham

Chief Executive Officer
Civil Contractors Federation

20th December 2019

From: [Chris Melham](#)
To: [Anthony Carey](#); regorgs@roc.gov.au
Cc: [Industrial Elections](#)
Subject: RE: FOR INFORMATION: Post-election Report for Civil Contractors Federation E2019-101 [SEC=UNCLASSIFIED]
Date: Friday, 20 December 2019 11:34:17 AM
Attachments: [image004.png](#)
[image002.png](#)

Dear Mr Carey

Subject: Civil Contractors Federation Response to the Post-election Report for Civil Contractors Federation E2019-101

In accordance with Section 198 of the Fair Work (Registered Organisations) Act 2009 ("the Act"), this communique is the official response to the Australian Electoral Commission's Post-election Report for Civil Contractors Federation election, *E2019-101*.

The post-election report identified Rules 21 (m) and 21 (n) as difficult to interpret/apply, and Rules 25 (c) and 25 (l) as other matters, and following our discussion I am pleased to advise that the Civil Contractors Federation intends to amend Rules 21 (n), 21 (m), 25 (c), and 25 (l) to rectify the issues put forward by the AEC as follows:

Rule 21 (m) be amended to read: "The result of the ballot must be declared by the returning officer prior to the Annual General Meeting in an election year".

Rule 21 (n) be amended to read: "Each person elected to the Board will take up that office at the conclusion of the Annual General Meeting".

Rule 25 (c) be amended to read: "The election shall be conducted by the returning officer appointed by the AEC. The returning officer is to notify all Board members (by notice) of the election of the National Office Bearers prior to the Annual General Meeting".

Rule 25 (l) to be amended to read: "The voting system shall be a first past the post system. In the case of a tie between candidates for election, the Returning Officer must draw lots to determine the successful candidates".

I welcome your official response to the actions proposed in this communique such that the Civil Contractors Federation can post the election report together with the CCF response on the CCF website and to make a copy available to CCF members in accordance with the Act.

I look forward to your response at your earliest convenience.

Kind regards
Chris Melham



CHRIS MELHAM
CHIEF EXECUTIVE OFFICER
(NATIONAL)

CIVIL CONTRACTORS FEDERATION
ABN 41 639 349 350

Unit 13, Level 3 Engineering House
11 National Circuit
BARTON ACT 2600
T 02 6273 8312
M 0438 101 681
E chrismelham@civilcontractors.com
www.civilcontractors.com

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