

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 30/03/2015 5:42:45 PM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged: Originating Application - Form 15 - Rule 8.01(1)
File Number: VID169/2015
File Title: Allen Hicks v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: First Directions
Time and date for hearing: 01/05/2015, 9:30 AM
Place: Please check Daily Court List for details



Dated: 31/03/2015 3:53:32 PM AEDT

A handwritten signature in blue ink, reading 'Warwick Soden'.

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 15
Rules 8.01(1); 8.04(1)

Originating application

No. _____ of 2015

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

Allen Hicks
Applicant

**Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing
and Allied Services Union of Australia**
Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place:

Date: March 2015

Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of _____ the Applicant
Prepared by _____ John Payne
Law firm _____ Hall Payne Lawyers
Tel (07) 3017 2400 _____ Fax (07) 3017 2499
Email _____ general@hallpayne.com.au
Address for service _____ Ground Floor, 27 Peel Street, South Brisbane QLD 4101
Ref: JWP:4141155 _____ [Version 2 form approved 09/05/2013]



Details of claim

On the grounds stated in the accompanying affidavit of Allen Hicks affirmed 25 March 2015 the Applicant claims:

1. A order declaring, pursuant to section 163 of the *Fair Work (Registered Organisations) Act 2009* (Cth) (the **Act**), that rule 21.4 of the Rules (the **Rules**) of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**CEPU**), or the Rules as a whole, contravene section 142(1)(a) of the Act in that they are contrary to, or fail to make a provision required by the Act; namely they fail to provide for the control of committees of the organisation and its branches respectively by the members of the organisation and branches.
2. A order declaring, pursuant to section 163 of the Act, that rule 21.4 of the Rules of the CEPU, or the Rules as a whole, contravene section 142(1)(c) of the Act in that they impose on members of the CEPU conditions, obligations or restrictions that, having regard to Parliament's intention in enacting the Act and the objects of the Act and the *Fair Work Act 2009* (Cth), are oppressive, unreasonable or unjust.
3. Any other orders that to the court seem appropriate.

Applicant's address

The Applicant's address for service is:

Place: c/- Hall Payne Lawyers, Ground Floor, 27 Peel Street, South Brisbane QLD 4101

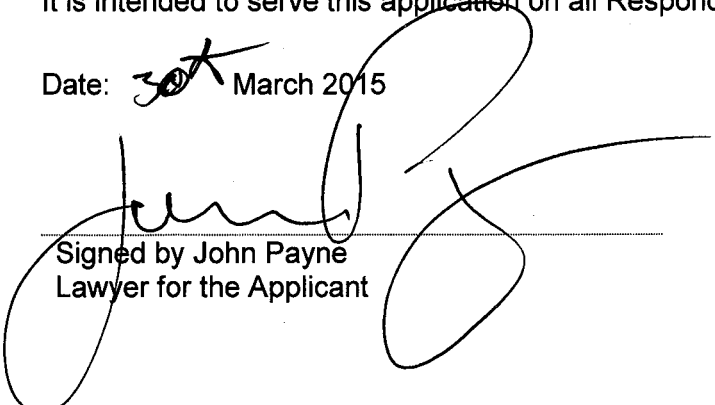
Email: general@hallpayne.com.au

The Applicant's address is 1A Rickard Road, Oyster Bay NSW 2225.

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: 30th March 2015


Signed by John Payne
Lawyer for the Applicant