ORDER AND DIRECTIONS

Fair Work (Registered Organisations) Act 2009
s.94(1) RO Act—Withdrawal from amalgamation

Grahame Patrick Kelly
(D2022/10)

ACTING PRESIDENT HATCHER
DEPUTY PRESIDENT GOSTENCNIK   SYDNEY, 21 DECEMBER 2022
DEPUTY PRESIDENT MASSON

Application for withdrawal from amalgamated organisation – Mining and Energy Division – Construction, Forestry, Maritime, Mining and Energy Union – directions issued.

The following orders and directions are made:

1. Mr Grahame Kelly is granted leave to file an amended application by **4:00 pm (AEDT) Friday, 23 December 2022**.

2. Mr Kelly and the CFMMEU are directed to file a joint submission addressing the requirements of s 100(1)(ba) of the *Fair Work (Registered Organisations) Act 2009* (Cth) in relation to the proposed rules contained in the amended application by **4:00 pm (AEDT) Monday, 30 January 2023**.

3. The matter will be listed for further hearing on **Wednesday 1 and Thursday 2 March 2023 in Melbourne**.

4. We make a confidentiality order in the terms set out at **Attachment A**.

5. Liberty to apply is granted.

ACTING PRESIDENT

Attachment A – Confidentiality Order

1. Pursuant to s 594 of the *Fair Work Act 2009* (Cth), the following documents will be marked as confidential and prohibited from publication:

    a. Annexure 2 to the application dated 15 September 2022;

    b. Witness Statement of Grahame Patrick Kelly dated 6 December 2022;

    c. Witness Statement of Glenn Power dated 6 December 2022;

    d. Witness Statement of Shane Russell Thompson dated 6 December 2022;

    e. Witness Statement of Ricky Maxwell Gale dated 5 December 2022

    f. Witness Statement of Trevor Lindsay Williams dated 5 December 2022;

    g. Witness Statement of Andrew Davey dated 5 December 2022;

    h. Witness Statement of Gregory John Busson dated 5 December 2022;

    i. Witness Statement of Graeme Osborne dated 5 December 2022;

    j. Witness Statement of Melanie Mitchell dated 6 December 2022; and

    k. Witness Statement of Phillip Pasfield dated 5 December 2022.