

16 March 2022

Post-election report

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

CEPU - South Australia Branch

Electrical, Energy & Services Division

Insufficient Nominations election

E2021/187

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Election(s) Covered in this Report

Organisation: CEPU - South Australia Branch Electrical, Energy & Services Division
Election: Insufficient Nominations
Election Decision No/s: E2021/187

Rules

Rules used for the election: [128V-ELE: Incorporates alterations certified on 16 December 2021 in matter R2021/101] (replaces 3 November 2020 [R2020/149 and R2020/165] version)

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Roll of Voters

Based on an analysis of the register of members the Returning Officer has formed the opinion that the:

- There were no concerns in the construction of the Roll of Voters
- There are no concerns in the data provided by the organisation

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.

Signed

Jude Feige
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 0466 730 906
16 March 2022

Attachments

A. Declaration of results for Uncontested Offices – SA EES

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

**CEPU - South Australia Branch Electrical, Energy & Services
Division**

**DECLARATION OF RESULTS - E2021/187
Uncontested Offices**

Insufficient Nominations Election

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 are:

Gas Supply

Divisional State Councillor (1)

Candidates

No Nominations Received

Jude Feige
Returning Officer
Telephone: 0466 730 906
Email: IEEvents@aec.gov.au
15/03/2022



DECISION

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

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

(E2021/187)

MR STEENSON

SYDNEY, 18 OCTOBER 2021

Arrangement for conduct of election.

[1] On 5 October 2021 the South Australian Divisional Branch of the Electrical, Energy and Services Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**the organisation**) lodged with the Registered Organisations Commission prescribed information for an election to fill the following office, due to insufficient nominations received in a previous election (**E2019/63**):

Divisional State Councillor - Gas Supply (1)

[2] I note that the Branch's letter dated 5 October 2021, which accompanied the prescribed information lodged in this matter, acknowledges that it relates to an office for which insufficient nominations were received in an election declared on 24 July 2019, i.e. more than two years ago.

[3] The letter also notes that the lodgement of prescribed information follows the National Secretary of the organisation corresponding with branches on 9 September 2021, drawing their attention to my decision in matter E2021/78.¹ In that decision it was indicated that attempts must be made to fill vacant offices, including those resulting from insufficient nominations being received, and the need for this to occur in a timely manner. In relation to the current matter (E2021/187), I commend the Branch's candour in acknowledging its omission – of not acting on this vacancy sooner – and note its apology in this regard.

[4] I also take the opportunity to note that if insufficient nominations are received in the election to be arranged for this particular office (or in future elections), the Commission's clear expectation is that prescribed information would then be lodged by the relevant organisation or branch in a timely manner in an attempt to fill such office(s). I also take this opportunity to commend the organisation's national office on its efforts to address this issue with its branches.

[5] I am satisfied that an election for the abovenamed office is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered*

¹ [2021] ROCD 75, concerning another branch of the organisation

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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PR352069

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, Jessica Rogers, being the Divisional Branch Assistant Secretary of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division, South Australian Branch (the Branch), make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Branch.
2. The following information is lodged under subsections 187 and 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act);
3. the election that is required is for:
 - a. the office of Divisional State Councillor – Gas Supply Industry Section;
 details of the election are set out in the table in Annexure A;
4. Insufficient nominations were received in an earlier election and the declaration of results is attached.
5. No rule alterations are pending that will impact the election.



Signed:

JESS ROGERS

Dated: ...5/10/2021.....

[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 <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Divisional State Councillor					
SA	Divisional State Councillor – Gas Supply Industry Section	1	DVS	Insufficient nominations	Financial Members of the Gas Supply Industry Section

- IMPORTANT DATES:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer	
Nominations CLOSE	To be determined by the Returning Officer	
Roll of Voters cut-off date	7 days prior to the opening date for nominations (Rule 15.19.7)	